

THE NATIONAL ARCHIVES  
LITTERA  
SCRIPTA  
MANET

# FEDERAL REGISTER

OF THE UNITED STATES  
1934

VOLUME 8      NUMBER 5

Washington, Friday, January 8, 1943

## Regulations

### TITLE 8—ALIENS AND NATIONALITY

#### Chapter II—Office of Alien Property Custodian

[General Order 11, Reg. 2]

#### PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

#### LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

§ 504.2 Regulation No. 2 under General Order No. 11<sup>1</sup> is hereby amended to read as follows:

§ 504.2 Regulation No. 2, under General Order No. 11. (a) A general license is hereby granted authorizing the following transactions:

(1) The filing in the United States Patent Office of applications for letters patent and for trademarks registration (except such applications received directly or indirectly from enemy nationals on or after November 17, 1942) and the prosecution in the United States Patent Office of applications for letters patent and for trademark registration in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of letters patent or trademark registration certificate granted pursuant to any such applications, *Provided*,

(4) That the person filing or prosecuting any such application, shall, at the time of filing the application or the first paper filed therein in the United States Patent Office, after the date of this amended regulation, (a) file directly with the Alien Property Custodian a report on Form APC-13P for patents or APC-13T for trademarks, setting forth under oath, the information called for therein, except that such report need not be executed under oath in cases where the person reporting is an attorney or agent registered in the United States Patent Office, if such attorney or agent certifies that the statements made

therein are true and complete to the best of his knowledge and belief and (b) notify the Patent Office in writing that the application is being filed and prosecuted pursuant to this amended regulation and that a report on Form APC-13P or APC-13T has been forwarded to the Alien Property Custodian; and

(ii) That such filing, prosecution or receipt involves no communication, direct or indirect, to an enemy national.

(2) The execution of any instrument recordable in the United States Patent Office, and the recording of such instrument in the United States Patent Office, if (a) such instrument affects title to or grants any interest in, including licenses under, any United States letters patent, trademark registration, or application therefor, in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, or (b) any of the parties to such instrument is a designated foreign country or a national thereof; *Provided*, In either case

(i) That such instrument be recorded in the United States Patent Office within ninety days of the date of execution thereof or within such further time as may be allowed by the Alien Property Custodian;

(ii) That the person presenting such instrument for recording shall attach thereto and record in the United States Patent Office therewith a copy of Form APC-15, and shall file therewith in the United States Patent Office a report on Form APC-14P for patents or APC-14T for trademarks (accompanied by a copy of the instrument), setting forth under oath the information called for therein;

(iii) That the transaction involves neither trade or communication with an enemy national nor is carried out as the result of such trade or communication; and

(iv) That such instrument may be set aside by the Alien Property Custodian upon notice mailed to the person recording the instrument at the address given on the form filed with the instrument and the patents, trademarks, applications, or rights thereunder so transferred may be vested by the Alien Property

(Continued on next page)

## CONTENTS

### REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Licensing transactions involving patents and trademarks—	291
BITUMINOUS COAL DIVISION:	
District Board 9, hearing—	331
Kirn Coal and Coke Co. and Reitz Coal Co., applications for registration as distributors—	331
Minimum price schedules amended:	
District 8 (2 documents) —	294, 296
District 11—	295
CIVIL AERONAUTICS BOARD:	
Airspace restrictions—	293
Inland Air Lines, Inc.; waiver of airplane airworthiness requirements—	293
FARM SECURITY ADMINISTRATION:	
Louisiana, designation of localities for loans—	331
FEDERAL COMMUNICATIONS COMMISSION:	
Station identification regulations (2 documents) —	330
Western Union Telegraph Co., hearing —	332
FEDERAL DEPOSIT INSURANCE CORPORATION:	
Form for filing of certified statement—	332
Reports required of:	
Mutual savings banks—	332
State banks—	332
FEDERAL POWER COMMISSION:	
Hearing:	
Independent Natural Gas Co.—	333
FEDERAL TRADE COMMISSION:	
Cease and desist order:	
Copper Roofs Corp.—	293
FEDERAL WORKS ADMINISTRATOR:	
District of Columbia area, discrimination in employment on defense public works—	328
OFFICE OF DEFENSE TRANSPORTATION:	
Puerto Rico; restrictions on passenger train operations (ODT 33)—	330
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Avondale Mills—	333
California Vegetable Concentrates, Inc.—	326

(Continued on next page)

<sup>1</sup> 7 F.R. 9477.





Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the *FEDERAL REGISTER* will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue. Remit money order for subscription or single copies payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the *FEDERAL REGISTER*.

Telephone information: DIstRICT 0525.

#### CONTENTS—Continued

##### OFFICE OF PRICE ADMINISTRATION—Continued.

	Page
Adjustments, etc.—Continued.	
Chesapeake and Ohio Railway Co.	333
Fisch, Herman W.	333
Imperial Coal Corp.	333
Philadelphia Freight Forwarding Co.	327
Putnam Knitting Co.	326
Royle Maid Products.	326
Watts, Ira M., and A. W. McPherson.	327
Food commodities, perishable; sales at retail (MPR 268, Am. 1)	322
Iron and steel products, resale (RPS 49, Am. 10)	319
Malleable iron castings (MPR 241, Am. 2)	325
Outerwear garments, women's, girls' and children's (MPR 287)	323
Puerto Rico; sales of rice, pork, etc. (MPR 183, Am. 16)	324
Rubber tires and tubes, new; wholesale prices (MPR 143, Am. 3)	320
Woodpulp (MPR 114, Am. 5)	321
PANAMA CANAL, THE:	
Documents required of arriving vessels	329
PETROLEUM ADMINISTRATOR FOR WAR:	
Fuel oil and gasoline consuming services	328
RAILROAD RETIREMENT BOARD:	
Railroad Retirement Act of 1937; employers' reports of employee compensation	294
Railroad Unemployment Insurance Act; certificates of underpayment and overpayment	294

#### CONTENTS—Continued

	Page
WAR DEPARTMENT:	
Strafing and anti-submarine bombing target areas, Amelia Island and Palm Valley, Fla.; danger zone regulations	329
WAR PRODUCTION BOARD:	
Alcohol (M-31)	309
Authority delegated to Rubber Director (WPB Reg. 1, Am. 1)	296
Automobiles and trucks, replacement parts (L-158)	303
Canned foods (M-237)	312
Chromium (M-18-b)	307
Closures for glass containers (M-104)	298
Ethyl alcohol, etc. (M-30)	308
Fats and oils (M-71)	315
Inventories (CMP Reg. 2)	317
Motor trucks, etc.:	
(L-1-g, Am. 1)	310
(L-1-h)	311
Petroleum, production, transportation, etc. (P-98-c)	297
Suspension order:	
Cliffside Dyeing Corp.	297
Tea:	
(M-111)	313
(M-111-e)	315
Textile shipping bags (M-221)	306
WAR SHIPPING ADMINISTRATION:	
Compensation payable to agents conducting the business of tugs and barges	329

Custodian at any time within a period of three years from the date of recording, except that the Alien Property Custodian may in his discretion reduce such period of time with respect to any such instrument after the recording thereof.

(3) The recording in the United States Patent Office of any instrument recordable therein which was executed before November 17, 1942, (a) which affects title to or grants any interest in, including licenses under, any United States letters patent, trademark registration, or application therefor in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, or (b) any of the parties to which is a designated foreign country or a national thereof and which was executed on or since the effective date of Executive Order No. 8389, as amended, with respect to such foreign country or national thereof, *Provided*, In either case

(i) That such instrument be recorded in the United States Patent Office on or before February 15, 1943, or within such further time as may be allowed by the Alien Property Custodian;

(ii) That there be compliance with the terms and conditions set forth in paragraphs (a) (2) (ii) and (a) (2) (iii) of this amended regulation; and

(iii) That the recorded instrument be subject to the conditions set forth in paragraph (a) (2) (iv) of this amended regulation.

(b) Applications, letters patent and trademark registrations, filed or prosecuted under paragraph (a) (1) of this

amended regulation will be subject to the power of the Alien Property Custodian to take such action as he deems necessary in the national interest, including, but not limited to, the power to direct, manage, supervise, control or vest, with respect thereto.

(c) This general license does not authorize:

(1) Any transactions not specifically enumerated herein, such transactions being permitted only upon specific authorization from the Alien Property Custodian; or

(2) The receipt of any funds or credits with respect to the transactions licensed herein except as such receipt may be permitted by the Treasury Department; or

(3) The payment of any funds or credits to any party to an instrument executed or recorded hereunder with respect to the property affected by such instrument, except nominal consideration not exceeding one dollar, as long as such instrument is subject to being set aside in accordance with the conditions of paragraph (a) (2) (iv) hereof, except into a special account from which withdrawals can be made only upon the approval of the Alien Property Custodian; or

(4) The filing of applications for letters patent or trademark registrations received from an enemy national on or after November 17, 1942, such applications being governed by General Order No. 12.

(d) Attention is directed to Treasury General License No. 72, as amended.

(e) Nothing contained in this amended regulation shall be deemed to limit the authority of the Office of Censorship to cause to be censored in its absolute discretion, any communications by mail, cable, radio, or other means of transmission, passing between the United States and any foreign country.

(f) No extension of time granted under this amended regulation will affect in any respect the provisions of R. S. 4898 (U.S.C., title 35, sec. 47) relating to the recording of assignments of patents in the United States Patent Office; or of sec. 10 of the Act of February 20, 1905, as amended (U.S.C., title 15, sec. 90) relating to the recording of assignments of trademarks.

(g) The term "designated foreign country" shall mean foreign country designated in section 3 of Executive Order No. 8389, as amended; and the terms "person" and "national" shall have the meanings defined in sections 5C and 5E respectively, of such order, except that any person within the categories of Regulation No. 1 under General Order No. 11 shall not be considered for the purposes of this amended regulation to be a national of a designated foreign country.

(h) The terms "enemy national" and "trade or communication with an enemy national" shall have the meanings defined in Treasury General Ruling No. 11, as amended, under Executive Order No. 8389, as amended.

(40 Stat. 411; 55 Stat. 839; E.O. 9193, 7 F.R. 5205)



Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-350; Filed, January 7, 1943;  
11:17 a. m.]

#### TITLE 14—CIVIL AVIATION

##### Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 253]

##### PART 4—AIRPLANE AIRWORTHINESS

###### INLAND AIR LINES, INC.

Waiver of the requirements of § 04.530 of the Civil Air Regulations with respect to Inland Air Lines, Inc.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 31st day of December 1942, it appearing that:

Paragraph (h) of § 04.530 of the Civil Air Regulations becomes effective on January 1, 1943, and Inland Air Lines, Inc., which operates but one airplane on scheduled flight, has not been able to obtain and install the equipment required by that paragraph:

Now, therefore, the Civil Aeronautics Board, acting pursuant to sections 205 (a), 601, and 604 of the Civil Aeronautics Act of 1938, as amended, makes and promulgates the following special regulation:

Notwithstanding the provisions of paragraph (h) of § 04.530 of the Civil Air Regulations, Inland Air Lines, Inc., may for a period of not to exceed 30 days from January 1, 1943, operate without complying with the above-mentioned paragraph.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 43-342; Filed, January 7, 1943;  
10:51 a. m.]

[Amendment 60-6, Civil Air Regulations]

##### PART 60—AIR TRAFFIC RULES

###### AIRSPACE RESTRICTIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of January 1943.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 1, 1943, Part 60 of the Civil Air Regulations is amended as follows:

By striking § 60.348 and inserting in lieu thereof the following:

§ 60.348 *Airspace restrictions.* Areas in which the flight of aircraft is pro-

hibited or restricted are classified as caution areas, danger areas, and prohibited areas.

§ 60.3480 *Caution area.* An area designated by the Administrator in which a visible hazard to aircraft in flight exists and which should be avoided if practicable.

§ 60.3481 *Danger area.* An area designated by the Administrator in which an invisible hazard to aircraft in flight exists. No flight of aircraft shall be conducted in this area without specific authority issued by the agency having jurisdiction over the danger area.

§ 60.3482 *Prohibited area.* An area established by Executive Order of the President of the United States. No flight of aircraft shall be made in this area except aircraft actually engaged in defense missions, or otherwise in accordance with the Executive Order establishing such areas.

NOTE: Restricted areas are indicated on aeronautical charts and published in "Weekly Notice to Airmen," issued by the Administrator of Civil Aeronautics.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 43-343; Filed, January 7, 1943;  
10:51 a. m.]

#### TITLE 16—COMMERCIAL PRACTICES

##### Chapter I—Federal Trade Commission

[Docket No. 4651]

##### PART 3—DIGEST OF CEASE AND DESIST ORDERS

###### COPPER ROOFS CORPORATION

§ 3.6 (a) 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (b) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondent's copper roofing, and among other things, as in order set forth, representing, directly or by implication, that the said roofing (1) is wind-proof, hurricane-proof, storm-proof, hail-proof, weather-proof, or earthquake-proof; (2) affords permanent protection against rain; or (3) is "everlasting"; or (4) that said roofing, or the copper used therein, is comparable with the copper roofing of ancient cathedrals or other ancient structures; or (5) that said roofing possesses insulating properties, or is capable of making houses cooler in summer or warmer in winter; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Copper Roofs Corporation, Docket 4651, December 29, 1942]

§ 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.6 (ff) 5) *Advertising falsely or misleadingly—Undertakings, in general:* § 3.72 (n) 10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.72 (p) *Offering deceptive inducements to purchase—Undertakings, in general.* In connection with offer, etc., in commerce, of respondent's copper roofing, and among other things, as in order set forth, representing, directly or by implication, that said roofing (1) is applied by factory-trained men exclusively; or (2) that respondent itself applies the roofing, or assumes responsibility for defects in material or workmanship, when respondent does not in fact make such application or assume such responsibility; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Copper Roofs Corporation, Docket 4651, December 29, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of December, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Copper Roofs Corporation, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's copper roofing in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That respondent's roofing is wind-proof, hurricane-proof, storm-proof, hail-proof, weather-proof, or earthquake-proof.

2. That said roofing affords permanent protection against rain.

3. That said roofing is "everlasting."

4. That said roofing, or the copper used therein, is comparable with the copper roofing of ancient cathedrals or other ancient structures.

5. That said roofing is applied by factory-trained men exclusively.

6. That said roofing possesses insulating properties, or is capable of making houses cooler in summer or warmer in winter.



7. That respondent itself applies the roofing, or assumes responsibility for defects in material or workmanship, when respondent does not in fact make such application or assume such responsibility.

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-345; Filed, January 7, 1943;  
10:52 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter II—Railroad Retirement Board

#### PART 250—REPORTS, INFORMATION, HEARINGS AND WITNESSES

##### EMPLOYERS' REPORTS OF EMPLOYEE COMPENSATION

Amending § 250.03 of the regulations under the Railroad Retirement Act of 1937.

Pursuant to the general authority contained in section 10 of the Act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U.S.C. 1940 ed. 228j), § 250.03 [4 F.R. 1495] of the regulations of the Railroad Retirement Board under such Act (1 F.R. 1477) is amended, effective December 22, 1942, by Board Order 42-669 dated December 22, 1942, to read as follows:

§ 250.03 *Employers' reports of compensation of employees.* (a) Each employer shall, in accordance with instructions issued by the director of wage and service records, file with the Board (1) on or before the last day of each month, a report of the compensation adjustments appearing on pay rolls or other disbursement documents for the month immediately preceding such month, (2) on or before the last day of the month immediately following the end of each calendar quarter, a summary of compensation adjustments reported for the quarter, and (3) on or before the last day of the month immediately following the end of each calendar quarter or, for employers authorized to report annually, on or before the last day of the second month immediately following the end of each calendar year:

(i) A report of the compensation earned by each employee for service during the period covered by the report showing with respect to each employee his name, his account number, and, except in the case of an employee of a railway-labor-organization employer, his occupational class under the appropriate Interstate Commerce Commission occupational classification as supplemented or varied for this purpose by instructions issued by the director of wage and service records and approved in this respect by the director of research.

(ii) A summary report of the compensation of the employees for the period covered by the report.

\*If such last day of the month is a Sunday or legal holiday, the report may be filed on the next following business day. If placed in the mails, the report shall be posted in ample time to reach the office of the Board at Chicago, Illinois, under ordinary handling of the mails, on or before the date on which the report is required to be filed.

Authorization to report annually the compensation earned by each employee shall be granted upon application by the employer to the director of wage and service records and the approval of such application by the Board.

(b) An employer having intermittent or seasonal pay rolls shall file a summary report of compensation for each quarter or year in which no pay roll was maintained and shall show "Nil" in the space provided for reporting the compensation.

(c) Upon termination of employer status as determined under §§ 202.11 and 202.12, a final report of compensation of employees shall be submitted. The summary report of compensation shall be marked "Final Compensation Report," and the period covered by the report shall be indicated. Such report shall be filed with the Board on or before the last day of the month following the final month for which there was compensated service.

By authority of the Board.

Dated: January 4, 1943.

[SEAL]

MARY B. LINKINS,  
Secretary of the Board.

[F. R. Doc. 43-339; Filed, January 7, 1943;  
10:34 a. m.]

#### PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

##### CERTIFICATES OF UNDERPAYMENT AND OVERPAYMENT

Amending paragraph (c) of § 345.12 of the regulations under the Railroad Unemployment Insurance Act.

Pursuant to the authority contained in section 12 of the Act of June 25, 1938 (52 Stat. 1094, 1107; 45 U.S.C. 1940 ed. 362), the Railroad Retirement Board, by Board Order 42-654 dated December 15, 1942, amends, effective December 15, 1942, the third subparagraph of paragraph (c) of § 345.12 [4 F.R. 4372] of the regulations under the Railroad Unemployment Insurance Act by adding the following sentence:

§ 345.12 *Adjustments.* \* \* \*

(c) *Certificates of underpayment and overpayment.* \* \* \*

(3) \* \* \* The contribution amount may also be reduced by 3% of any compensation adjustment submitted on Forms BA-4 which is the result of a proration of earnings of employees engaged in joint employment.

By authority of the Board.

Dated: January 4, 1943.

[SEAL]

MARY B. LINKINS,  
Secretary of the Board.

[F. R. Doc. 43-338; Filed, January 7, 1943;  
10:34 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter III—Bituminous Coal Division

[Docket No. A-1753]

#### PART 328—MINIMUM PRICE SCHEDULE, DISTRICT No. 8

##### ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the Luce Mine, Mine Index No. 573, of Isaac Slusher in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Luce Mine, Mine Index No. 573, operated by Isaac Slusher, (Kentucky Bell Coal Co.) in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

It appearing that Luce, Kentucky, the shipping point for the Luce Mine, Mine Index No. 573, of Isaac Slusher (Kentucky Bell Coal Co.) is in Freight Origin Group No. 80, as set forth in Supplement R hereinafter referred to, and not in Freight Origin Group No. 111 as stated in said original petition; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 19, 1942.

[SEAL]

DAN H. WHEELER,  
Director.



TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members—Supplement R*

(Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown)

Mine index No.	Code member	Mine name	High volatile seam	Sub-district No.	Shipping point	Railroad	Fuel right origin group No.
573	Shisher, Isaac (Kentucky Bell Coal Co.).	Luce.....	Mason.....	6	Luce, Ky.....	L. & N.....	80

\*Indicates previously classified these size groups.  
†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

**§ 328.34** General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine	Mine Index No.	Seam	Base shoes							
				Lamp over 2', egg 4' 6"	Lamp 2' and under, egg 3' x 6"	Lamp 3' and under, egg 2' x 6"	Lamp 3' and under, egg 2' x 4' 6"	Stove 3' and under, nut 2'	Straight mine run	2' and under, slack	3' and under, slack
		573	Mason.....	275	255 (*)	240	235	(*)	165	160	
			Luce....								

\*Indicates previously classified these size groups.

assumed these size groups.

[U.F. B. Doc. 43-300: Filed. January 6, 1943; 11:44 a. m.]

[Docket No. A-1726]

PART 331—MINIMUM PRICE SCHEDULE,  
DISTRICT No. 11

ORDER GRANTING RELIEF. ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of the New Templeton No. 4 Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the New Templeton No. 4 Mine, Mine Index No. 134, of the Linton-Summit Coal Company, Inc.; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 331.9 (*Adjustments in f. o. b. mine prices*) is amended by adding thereto Supplement R-II, and § 331.10 (*Special prices: Railroad locomotive fuel*) is amended by adding thereto Supplement R-III, which supplements are herein-after set forth and hereby made a part hereof.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 Alphabetical list of code members—Supplement R-I

Mine index No.	Code member	Mine	Seam	Sub-district	Freight group	Price group	Shipping point	Railroad
184	Linton-Summit Coal Co., Inc.	New Templeton No. 4.	IV	LS	169	12	Latta... IC. Sullivan. Linton...	CMSRP&P. IC. FRR.

Mine Index No. 184 shall be included in Price Group 13 and for shipment into various market areas shall be accorded the prices shown for other mines in Price Group 13 listed in Price Schedule for District No. 11, for All Shipments Except Truck.

<sup>1</sup> Freight Origin Group No. 68 is no longer applicable.



§ 331.9 *Adjustment in f. o. b. mine prices—Supplement R-II. Deductions for freight rate differences for mine index No. 184.*

a. On shipments originating on the CMStP&P Railroad—the same absorptions as have been established for mines included in Freight Origin Group No. 61.

b. On shipments originating on the Illinois Central Railroad—the same absorptions as have been established for mines included in Freight Origin Group No. 62.

c. On shipments originating on the Pennsylvania Railroad—the same absorptions as have been established for mines included in Freight Origin Group No. 63.

d. On shipments to Market Areas 32, 33 and 34—the same absorptions as have been established for Mine Index Nos. 48, 49, 50, 51, 78, 119 and 1294.

NOTE: In no case shall the permissible deduction to any destination exceed the deduction applicable via the lowest rated route.

§ 331.10 *Special prices; Railroad locomotive fuel—Supplement R-III. Prices for railroad locomotive fuel.*

a. On shipments to the CMStP&P Railroad—the same prices as have been established for Mine Index Nos. 51 and 78 for shipment to said railroad.

b. On shipments to the Illinois Central Railroad—the same prices as have been established for Mine Index Nos. 50 and 119 for shipment to said railroad.

c. On shipments to the Pennsylvania Railroad—the same prices as have been established for Mine Index Nos. 48 and 49 for shipment to said railroad.

d. On shipments to all railroads other than the CMStP&P Railroad, Illinois Central Railroad and the Pennsylvania Railroad:

1. When shipping via the CMStP&P Railroad, the same prices as have been established for Mine Index Nos. 51, 78 and 1294 when said mines ship via the CMStP&P Railroad;

2. When shipping via the Illinois Central Railroad, the same prices as have been established for Mine Index Nos. 50 and 119.

3. When shipping via the Pennsylvania Railroad, the same prices as have been established for Mine Index Nos. 48 and 49.

NOTE: The maximum deductions permitted shall be the lowest absorption via either railroad listed above to accomplish the required delivery.

[F. R. Doc. 43-301; Filed, January 6, 1943; 11:44 a. m.]

[Docket No. A-1682]

#### PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

##### ORDER GRANTING RELIEF, ETC., AMENDMENT

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by Bituminous Coal Producers Board for District No. 8 (the "Petitioner"), requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8, and for changes in shipping points; and

A motion having been filed by petitioner requesting that the original petition heretofore filed herein be amended by deleting therefrom the prices therein proposed in Size Groups Nos. 1, 2 and 3 for truck shipment for the coals produced by Utilities Elkhorn Coal Company at its Boldman No. 5 Mine, Mine Index No. 5757 and inserting certain other prices in lieu thereof; and

An order granting said motion, amending said original petition, and granting temporary relief and conditionally providing for final relief as prayed for in the original petition, as amended, having been issued herein on November 11, 1942, 7 F.R. 9769; and

A motion having been filed herein by the petitioner, requesting that the order heretofore entered herein on November 11, 1942 be modified with respect to the coals produced by Litwar Coal Company at its Litwar 1A Mine, Mine Index No. 5711, and by the said Utilities Elkhorn Coal Company at its said Boldman No. 5 Mine, Mine Index No. 5757 by providing:

(1) That the temporary relief therein granted shall become final on March 26, 1943, unless it shall be otherwise ordered prior thereto.

(2) That pleadings in opposition to the original petition herein in such respect, and applications to stay, terminate, or modify the temporary relief, as extended, may be filed with the Division on or before March 11, 1943; and

It appearing from said motion, with respect to the said Litwar Mine, that the prices proposed for said mine in the original petition herein were based on channel samples, and that the petitioner has not been able to secure, for analytical purposes, samples of the coals which are produced at this mine for commercial purposes; it further appearing that it is the opinion of the petitioner that such samples cannot be obtained and analyzed prior to February 15, 1943, and that, such coals should not be permanently classified until such analyses have been made; and

It further appearing, with respect to the said Boldman No. 5 Mine, that this mine is in process of development, and that the petitioner will not be able to obtain representative samples of the coals produced at this mine until after January 1, 1943, and that it is the opinion of the petitioner that these coals should not be permanently classified until such analyses have been made; and

It is further appearing that a reasonable showing of necessity has been made for the granting of said motion, and for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention or motions in opposition to the relief requested hav-

ing been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That said motion be, and the same hereby is granted;

It is further ordered, That the temporary relief heretofore granted in the order issued herein on November 11, 1942, 7 F.R. 9769, § 328.11 (*Alphabetical list of code members*) Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) Supplement T, with respect to the coals produced by Litwar Coal Company at its 1A Mine, Mine Index No. 5711 and by Utilities Elkhorn Coal Company at its Boldman No. 5 Mine, Mine Index No. 5757, be and the same hereby is extended to and shall become final on March 26, 1943, unless otherwise ordered.

It is further ordered, That pleadings in opposition to the original petition, as amended, in the above entitled matter and applications to stay, terminate or modify the temporary relief herein granted with respect to the aforesaid mines, may be filed with the Division on or before March 11, 1943 pursuant to the Rules and Regulations Governing Practices and Procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: January 6, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-358; Filed, January 7, 1943; 11:26 a. m.]

#### TITLE 32—NATIONAL DEFENSE

##### Chapter IX—War Production Board

###### Subchapter A—General Provisions

##### PART 903—DELEGATIONS OF AUTHORITY

[Amendment 1 to WPB Regulation 1 as Amended July 9, 1942]

##### DELEGATION OF AUTHORITY TO RUBBER DIRECTOR

Section 903.0 *War Production Board Regulation 1*, is hereby amended by the addition of the following new paragraphs:

(d) In addition to, and without limitation upon, the foregoing delegation of authority, the Rubber Director of the War Production Board is hereby authorized to perform the functions and exercise the powers, authorities and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (54 Stat. 676) as amended by the Act of May 31, 1941 (Public Law No. 89, 77th Congress) and Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public Law No. 507, 77th Congress), to the extent necessary for the performance of the following duties and functions:

(1) To allot rubber among the War Department, Navy Department, Maritime Commission, Aircraft Scheduling Unit,

17 F.R. 561, 2126, 4155, 5395.



Office of Lend-Lease Administration, Board of Economic Warfare, Dominion of Canada, the Domestic Requirements Section of the Office of Rubber Director, and any other public or private agency authorized to act as a Claimant Agency before the War Production Board, and also to allot rubber for civilian requirements;

(2) To allocate and apportion rubber among the users thereof, including all allocations and apportionments from the rubber stockpile;

(3) To issue, administer and, where necessary, amend or repeal new orders regulating the production, distribution and use of rubber and rubber products, and to amend, repeal and supersede any existing orders heretofore issued by the War Production Board regulating such production, distribution and use: *Provided, however*, That all existing orders of the War Production Board affecting such production, distribution or use shall remain in effect until specifically amended, repealed or superseded. The authority hereby delegated shall not include authority to regulate or control the distribution of any material or products other than rubber and rubber products, even when such other material or products are for use in the production of rubber.

(e) The Rubber Director may exercise the duties and functions referred to above, either in his own name, through the Director General for Operations of the War Production Board or through such other official, agency or person as he shall designate.

(E.O. 9024, 7 F.R. 329; E.O. 9040; 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

DONALD M. NELSON,  
Chairman.

[F. R. Doc. 43-335; Filed, January 6, 1943;  
5:06 p. m.]

#### Subchapter B—Director General for Operations

##### PART 1010—SUSPENSION ORDERS

[Suspension Order S-208]

##### CLIFFSIDE DYEING CORP.

Cliffside Dyeing Corporation, Paterson, New Jersey, is engaged in the business of dyeing fabrics. During the months of April through September, 1942, the Company accepted delivery of approximately 3,931 pounds of anthraquinone dyes in excess of the amounts which it was permitted to receive under the terms of Conservation Order M-103. The Company was fully aware of the restrictions contained in Conservation Order M-103 and its violations thereof were wilful.

On or about August 24, 1942, the Company accepted delivery of a textile machine in violation of Limitation Order L-83, which places certain restrictions on the delivery and acceptance of indus-

trial machinery. The Company had obtained delivery of this machine by certifying that the machine was for maintenance, repair, and operating supplies, and that a rating of A-10 under Preference Rating Order P-100 was applicable to the purchase order. This certification was false and made in violation of Preference Rating Order P-100 inasmuch as the machine constituted capital equipment.

These violations of Conservation Order M-103, Limitation Order L-83 and Preference Rating Order P-100 have impeded and hampered the war effort of the United States by diverting anthraquinone dyes and critical industrial machinery to uses unauthorized by the War Production Board. In view of the foregoing facts, it is hereby ordered, That:

§ 1010.208 *Suspension Order No. S-208.* (a) Cliffside Dyeing Corporation, its successors and assigns, shall not order or accept delivery of anthraquinone dyes, except as specifically authorized by the Director General for Operations.

(b) Deliveries of material to Cliffside Dyeing Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be applied or assigned to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, and any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Cliffside Dyeing Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Cliffside Dyeing Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on January 7, 1943, and shall expire on April 7, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-277; Filed, January 5, 1943;  
3:55 p. m.]

#### PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-c, as Amended  
Dec. 31, 1942.]

§ 1041.3 *Preference Rating Order P-98-c.* For the purpose of facilitating special sales of idle or excess materials by persons engaged in the petroleum industry to other persons engaged in the petroleum industry, it is hereby ordered that persons engaged in the petroleum industry may sell such material to other persons engaged in the petroleum industry upon the terms hereinafter set forth:

(a) *Definitions.* The definitions of Preference Rating Order P-98-b shall apply in this order.

(b) *Sales of material between operators.* (1) Any operator may sell to any other operator material from the seller's stocks or inventories, and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation No. 13, as amended from time to time, any operator may sell to any supplier for direct resale to another operator material from the stocks or inventories of the operator.

(c) *Applicability of orders and priorities regulations.* This order does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(d) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator, South Interior Building, Washington, D. C., Ref.: P-98-c.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-c.

(e) *Violations.* Any person who wilfully violates any provisions of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control

<sup>1</sup> This document is a restatement of Amendment 1 to Preference Rating Order P-98-c which appeared in the FEDERAL REGISTER of January 1, 1943, page 13, and reflects the order in its completed form as of December 31, 1942.



and may be deprived of priorities assistance by the Director General for Operations.

NOTE: Paragraph (f) was revoked December 31, 1942.

(P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-331; Filed, January 6, 1943;  
5:06 p. m.]

#### PART 1128—CLOSURES FOR GLASS CONTAINERS

[Conservation Order M-104, as Amended Jan. 1, 1943<sup>1</sup>]

##### § 1128.1 Conservation Order M-104—

(a) *Definitions.* (1) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(2) "Glass container" means any bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(3) "Tinplate" means sheet steel coated with tin, and includes "primes," "seconds," "waste-waste," and all other forms of tinplate except waste.

(4) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes," "seconds," "waste-waste," and all other forms of terneplate except waste.

(5) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects," "electrolytic waste-waste," and all other forms of blackplate except waste.

(6) "Waste" means used closures and used cans, made of tinplate, terneplate, or blackplate; and scrap tinplate, terneplate, and blackplate produced in the ordinary course of manufacturing closures.

(7) "Rubber," whether a separate sealing ring or incorporated into a closure, means any polyvinyl acetate, or any crude rubber, latex, scrap rubber, reclaimed rubber, or synthetic rubber, as defined by Supplementary Order M-15-b, as amended from time to time.

(8) "Pack," unless particularly specified, means the number of closures used for packing a product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of closures.* (1) No person shall sell or deliver any closure made in whole or in part of tinplate, terneplate, blackplate, wire, rubber, or waste, except under a purchase order or contract validated by delivery to such

person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any such closure which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall use any tinplate, terneplate, blackplate, waste or rubber for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium such as another closure or paraffin.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (b) (3).

(3) No person shall use any tinplate, terneplate, blackplate, wire, or rubber for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule V attached to this order. No closure manufactured pursuant to Schedule V shall knowingly be sold to any person for packing any product for sale.

(4) No person shall use any tinplate, terneplate, or blackplate, except "rejects" or "electrolytic waste-waste," heavier than 90 pounds per base box, for the manufacture of crown caps.

(5) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box.

(c) *Restrictions upon purchase, acceptance of delivery, and use of closures.* No person shall, during any calendar year (or seasonal year or other period, when specified) purchase, accept delivery of, or use for packing a product, any closure made in whole or in part of tinplate, terneplate, blackplate, or rubber, except as, and to the extent permitted in Schedules I, II, III, and IV, attached to this order; *Provided, however,* That a jobber or retailer may obtain and sell closures in conformity with the provisions of this order. Blackplate may be used wherever tinplate or terneplate is specified. Closures made of waste shall not be used for packing any product for which closures made of tinplate, terneplate, and blackplate are totally prohibited.

(d) *Exceptions.* (1) Nothing in this order shall prohibit any person who used less than 5,000 closures during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, an aggregate of 5,000 closures during any subsequent calendar year.

(2) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of closures for packing any product not listed in the schedules attached to this order, when such closures, on or before December 23, 1942, were completely manufactured or were in the form of tinplate, terneplate, or blackplate fully lithographed with a person's private design cut into strips.

(3) No certificate shall be required for the sale or delivery of closures to:

(i) Retailers;

(ii) Persons purchasing closures from retailers.

(4) Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(i) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(ii) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(iii) American Red Cross or United Service Organizations.

(iv) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) Any person in the Territory of Hawaii; provided that the exception provided by this paragraph (d) (4) (v) shall be limited to closures used in connection with the packing of products to be consumed in the said Territory.

(e) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref: M-104.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

<sup>1</sup> This document is a restatement of Amendment 1 of Conservation Order M-104 as amended December 23, 1942 which appeared in the FEDERAL REGISTER of January 5, 1943, page 89, and reflects the order in its completed form as of January 1, 1943.



Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

#### EXHIBIT A

##### PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made or closures made in whole or in part of tinplate, terneplate, blackplate, wire, zinc, or rubber. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104, as heretofore amended, and that he will not use or sell any closures purchased from

Name of seller

Address of seller

pursuant to this or future purchase orders or contracts, in violation of the terms of such order.

Date

Legal name of purchaser

By

Authorized official

Title of official

Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U.S.C.A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

#### SCHEDULE I

##### FOOD CLOSURES

NOTE: Schedule I is amended in its entirety.

A. Any person who used closures from January 1, 1942 to December 31, 1942, for packing a food product not listed in this Schedule I, may use an equal number of closures during the year 1943 for packing the products listed in this schedule, in addition to the quotas respectively specified.

B. Wherever the asterisk appears the packing quota relates to the number of closures and cans used for packing the applicable product.

C. Notwithstanding the provisions of paragraph (d) (4) of this order, the respective quotas specified for items 3 and 6 under Fruits and item 6 under Milk and Dairy Products shall include pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.

D. No product packed in a can shall be repacked for sale in a glass container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in this schedule.

E. Split year items such as "1941-2" appearing in the column "1943 Packing Quota" refer to specified seasonal year base periods to be used in computing permitted packs for subsequent seasonal years.

No. 5—2

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black-plate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS				
1. Asparagus, green.....	Unlimited.....	X		X
2. Beans, with or without pork.....	25% 1941*.....	X		
3. Beans, fresh, including green, wax, lima, green soybeans, and fresh shelled beans.....	Unlimited.....	X		X
4. Beets, including pickled beets. No whole beets larger than U. S. Standard ruby (medium) to be packed.....	200% 1942-3.....	X		X
5. Carrots. Whole carrots not to be packed.....	150% 1942.....	X		X
6. Corn, fresh, sweet, cut.....	Unlimited.....	X		X
7. Peas, fresh, green.....	Unlimited.....	X		X
8. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, polk, and turnip greens.....	300% 1941.....	X		X
9. Tomatoes.....	Unlimited.....	X		X
10. Tomato catsup and chili sauce, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids: Closures without rubber.....	200% 1942.....	X		
Closures with rubber.....	150% of 1942.....	X		X
11. Tomato paste, containing not less than 25 percent, by weight, dry tomato solids.....	50% 1942*.....	X		X
12. Tomato pulp or puree, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids.....	100% 1942.....	X		X
13. Tomato sauce, including spaghetti sauce containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.....	100% 1942*.....	X		X
14. Vegetables, dehydrated.....	Unlimited.....		X	
15. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning.....	Unlimited.....	X		
NOTE: When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gallon or larger.				
FRUITS				
1. Apples, including crabapples; whole apples not to be packed.....	10% 1941-2*.....	X		X
2. Applesauce, including sauce from crabapples.....	10% 1941-2*.....	X		X
3. Apricots. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.....	100% 1942.....	X		X
4. Blackberries, black raspberries, boysenberries, dewberries, elder berries, gooseberries, loganberries, red raspberries, and youngberries.....	225% 1942.....	X		X
5. Cherries, red sour pitted and sweet.....	200% 1942.....	X		X
6. Figs. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.....	100% 1942.....	X		X
7. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I and grapes and pineapple: <i>Provided</i> , That the combination, by drained weight, shall consist of not less than 50 percent fruits listed in this Schedule I and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans to the extent of 7 percent of the fruit cocktail.....	Unlimited.....	X		X
8. Olives, ripe or green ripe, whole or minced.....	75% 1941-2*.....	X		X
9. Peaches, clingstone, halves, segments, or slices.....	Unlimited.....	X		X
10. Peaches, freestone, halves, segments, or slices. Not to be packed in California.....	Unlimited.....	X		X
11. Pears. Whole pears, except seckle pears, not to be packed.....	Unlimited.....	X		X
12. Plums.....	150% 1942.....	X		X
13. Prunes, fresh Italian.....	200% 1942.....	X		X
FRUIT PRODUCTS				
1. Fruits, crushed.....	100% 1942*.....		X	
2. Fruit butters, conserves, jams, jellies, marmalades, and preserves.....	100% 1942.....	X		X
3. Fruit juices or mixtures thereof, other than grapefruit juice, undiluted except for the addition of sweetening.....	100% 1942*.....	X		X until 3/31/43
4. Grapefruit juice.....	100% 1942*.....	X		X
5. Fruit concentrates, liquid, when concentrated on a ratio of 5 or more to 1.....	100% 1942*.....	X		X
6. Fruit concentrates, dry.....	Unlimited.....		X	
7. Nectars.....	100% 1942*.....	X		
8. Pectin, liquid.....	100% 1942*.....		X	



Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black-plate	Rubber
MEATS AND MEAT PRODUCTS				
1. Beef, dried.....	75% 1941.....	X		
2. Chicken, boned, and turkey, boned.....	50% 1942*.....	X		X
3. Chili Con Carne, when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.....	25% 1942*.....	X		X
4. Corned beef hash.....	100% 1941*.....	X		
5. Lamb's tongue, pickled.....	100% 1942.....	X		
6. Meat loaf, containing not less than 90 percent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.....	25% 1942*.....	X		X
7. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.....	25% 1942*.....	X		X
8. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.....	25% 1942*.....	X		X
9. Mince meat, fresh apples only.....	100% 1942.....		X	
10. Pig's feet and cutlets, pickled, semi-boneless.....	100% 1942.....	X		
11. Sausage in casings, Vienna style, containing no cereal or similar substance and not to exceed 10 percent added water, by weight.....	100% 1942.....	X		X
12. Tongue.....	100% 1942*.....	X		X
FISH AND SHELLFISH				
1. Clams, soft, hard, or razor.....	100% 1942.....	X		X
2. Clam broth.....	100% 1942*.....	X		
3. Crabmeat.....	100% 1942.....	X		X
4. Fish flakes, except dried fish flakes.....	100% 1942.....	X		X
5. Fish, pickled.....	Unlimited.....	X		
6. Fish pastes, including shellfish paste.....	100% 1942*.....	X	X	
7. Lobsters, including spiny lobsters.....	100% 1942*.....	X		X
8. Oysters.....	100% 1942.....	X		
9. Shrimp.....	100% 1942.....	X		X
SOUPS				
Seasonal: Limited to soups which shall contain not less than 7 percent, by weight, of dry solids; from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes.....	Unlimited.....	X		
Non-seasonal: Limited to the following kinds of soup which shall contain not less than the specified percentage, by weight of dry solids from fresh, brined, or frozen vegetables, meats, or other products listed in Schedules I or II, in Order M-81, provided that no person shall use for packing such soups, more than 35 percent by weight, of the frozen vegetables which be used for this purpose during 1942.....	75% 1942*.....	X		
MILK AND DAIRY PRODUCTS				
1. Cheese spreads, processed.....	100% 1942.....	X		
2. Cheese spreads, unprocessed (e. g. limburger).....	100% 1942.....	X		
3. Condensed milk, sweetened, as defined by the Federal Security Administration, July 2, 1940, paragraph 18,525 page 2444, Federal Register, and 18,530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.....	100% 1942*.....	X		
4. Cultured milk—"Cultured milks" as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like.....	100% 1942.....		X	
5. Fluid milk, with or without flavoring. Quota: Until 3/1/43 100 percent, and until 6/30/43 50 percent of corresponding period of 1941.....	See product column.....		X	
6. Ice cream mix, dry. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.....	50% 1942*.....	X		X
7. Malted milk, including chocolate milk, dry.....	Unlimited.....		X	
SYRUPS AND HONEY				
1. Syrups—blended, bottlers, cane, corn, maple, r. classes, sorghum, malt.....	100% 1942*.....		X	
2. Chocolate or cocoa syrup.....	100% 1942*.....		X	
3. Honey.....	Unlimited.....		X	
OLIVES, PICKLES, RELISHES, CONDIMENTS AND SAUCES				
1. Pickles, piccalilli, and relishes.....	100% 1942.....	X		
2. Mustard.....	100% 1942.....	X		
3. Green olives.....	100% 1941.....	X		
4. Horseradish.....	100% 1942.....	X		
5. Sauces—beefsteak, cooking, soya, tabasco, and worcestershire.....	100% 1942.....	X		



Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Black-plate	Rubber
EDIBLE OILS AND DRESSINGS				
1. Dressings—Mayonnaise, Russian, salad and Thousand Island.	125% 1942		X	
2. French dressing.	100% 1942	X		
3. Oil, edible liquid.	125% 1942*		X	
4. Sandwich spread, other than meat spreads.	125% 1942		X	
5. Tartar sauce.	100% 1942		X	
MISCELLANEOUS FOODS				
1. Baby foods: Consisting of food products of small particle size or in liquid or semiliquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used, provided that no person shall use more than 35 percent, by weight, of the amount which he used for baby foods in 1942. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple from No. 10 cans and tomato products from 5-gallon reusable cans may be used in packing baby foods. Formulas—dry or liquid.	125% 1942	X		X
2. Cherries, maraschino.	125% 1942*		X	
3. Baking powder.	100% 1942		X	
4. Dyes, certified colors.	100% 1942*		X	
5. Extracts.	75% 1942		X	
6. Malt, dry.	100% 1942	X		
7. Milk fortifiers.	100% 1942*		X	
8. Nut butters.	100% 1942		X	
9. Soups, dehydrated.	150% 1942		X	
10. Spice.	100% 1942		X	
11. Vinegars.	100% 1942	X		
12. Special food products, for human consumption only, limited to foods other than usual table foods. Quota: No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	(1)	(1)	(1)	(1)

\* See product column.

**SCHEDULE II****DRUG PRODUCTS CLOSURES**

A. From December 23, 1942, to December 31, 1942, any person may pack without quota restriction any product listed in this Schedule II.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
1. Alcohol, rubbing or medicated.	100% 1942		x	
2. Artificial salts.	100% 1942		x	
3. Biological preparations.	Unlimited	x		x
4. Blood plasma.	Unlimited	x		x
5. Capsules.	100% 1942		x	
6. Chemicals, dry.	Unlimited	x		
7. Chemicals, liquid.	Unlimited	x		
8. Citrate of magnesia.	100% 1942		x	x
9. Cordials, medicinal.	100% 1942		x	
10. Effervescent salts.	100% 1942		x	
11. Elixirs.	100% 1942		x	
12. Emulsions.	100% 1942		x	
13. Extracts.	100% 1942		x	
14. Flavors.	100% 1942		x	
15. Fluid extracts.	100% 1942		x	
16. Fluid glycerates.	100% 1942		x	
17. Glycerites.	100% 1942		x	
18. Glycerogelatin.	100% 1942		x	
19. Honey.	100% 1942		x	
20. Jellies, aqueous.	100% 1942		x	
21. Liniments.	100% 1942		x	



Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
22. Liniment of ammonia	100% 1942	x		
23. Local anesthetic solutions (injectible)	Unlimited	x		x
24. Lotions	100% 1942		x	
25. Magmas	100% 1942	x		
26. Medicinal wines	100% 1942		x	
27. Oleoresins	100% 1942		x	
28. Oleates	100% 1942		x	
29. Oils, fixed, volatile, or medicated	100% 1942	x		
30. Ointments, cerates, petrolatum, pastes	100% 1942		x	
31. Ointments, ophthalmic	100% 1942	x		
32. Pills, tablets, troches, lozenges	100% 1942		x	
33. Powders	Unlimited	x		
34. Prescriptions	100% 1942		x	
35. Proprietary preparations	100% 1942	x		
36. Soaps	100% 1942	x		
37. Solutions, aqueous or bulk intravenous	100% 1942	x		x
38. Solution of ammonia	100% 1942	x		
39. Solution of iodine	100% 1942	x		x
40. Solution of hydrogen peroxide	100% 1942	x		
41. Solutions, parenteral	Unlimited	x		x
42. Solutions, ophthalmic or nasal	100% 1942	x		
43. Spirits	100% 1942		x	
44. Spirit of ammonia, aromatic	100% 1942	x		
45. Spirit of ammonia, anisated	100% 1942	x		
46. Spirit of ether compound and spirit of ether	100% 1942	x		
47. Suppositories	100% 1942		x	
48. Syrups	100% 1942		x	
49. Tinctures	100% 1942		x	
50. Tincture of iodine	100% 1942	x		x
51. Vinegars	100% 1942	x		
52. Waters	100% 1942		x	
53. Water, laxative, purgative or medicinal	100% 1942		x	

## SCHEDULE III

## CHEMICALS, HOUSEHOLD AND INDUSTRIAL SUPPLY CLOSURES

A. From December 23, 1942 to December 31, 1942 any person may pack without quota restriction any product listed in this Schedule III.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product	1943 packing quota	Closure material indicated by x		
		Tinplate	Black-plate	Rubber
1. Adhesives, glass muclages, and pastes	100% 1942		x	
2. Alcohol	100% 1942		x	
3. Ammonia	100% 1942	x		
4. Anti-freeze	100% 1942		x	
5. Automotive maintenance or repair items, liquid or paste	100% 1942		x	
6. Bluings	100% 1942	x		
7. Bleaches	100% 1942	x		x
8. Cements	100% 1942		x	
9. Chemicals, dry	Unlimited		x	
10. Chemicals, liquid	Unlimited	x		
11. Chemicals, reagent	Unlimited	x		
12. Cleaners	100% 1942		x	
13. Compounds for grinding, polishing, or sealing	100% 1942		x	
14. Dressings for industrial purposes	100% 1942		x	
15. Dyes	75% 1942	x		
16. Essential oils, distilled or cold pressed	100% 1942	x		
17. Embalming fluid	Unlimited		x	
18. Fire extinguisher fluids	100% 1942		x	
19. Fungicides, insecticides, and livestock or agricultural solutions or sprays	100% 1942		x	
20. Glycerin	100% 1942		x	
21. Graphite with liquid	100% 1942		x	
22. Hypochlorite powders	100% 1942	x		
23. Inks	100% 1942	x		
24. Ink eradicators	100% 1942	x		
25. Lighter fluids	100% 1942		x	
26. Lye	100% 1942		x	
27. Oils, lubricating and machine	100% 1942		x	
28. Paints, varnishes, enamels, shellacs, lacquers, lacquer thinners, lacquer stains, paint thinners, varnish removers, turpentine and linseed oil	100% 1942		x	
29. Phenols	Unlimited	x		
30. Photographic supplies	100% 1942	x		
31. Poisons	100% 1942		x	
32. Polishes, liquid or paste	100% 1942		x	
33. Putty	100% 1942		x	
34. Soap—hand	100% 1942		x	
35. Shoe white, liquid or cream	100% 1942		x	
36. Solvents	100% 1942		x	
37. Waxes	100% 1942		x	
38. Wood preservatives and fillers	100% 1942		x	



CONFIDENTIAL--For use of Federal War Agencies only

Form PD-519

UNITED STATES OF AMERICA

WAR PRODUCTION BOARD

Closures for malt beverages and non-alcoholic beverages;  
Inventories, receipts and use by bottlers.

## INSTRUCTIONS

Bottlers of malt beverages shall report monthly, and bottlers of non-alcoholic beverages by calendar quarters. On or before the tenth day following the period reported, please send one copy of this report to each supplier from whom you obtain beverage closures, and one copy to Containers Division, War Production Board, Washington, D. C. Ref: M-104. This form may be reproduced in same size and format.

Closures made of tinplate,terneplate or blackplate:  
Produced in same size and format.

Permitted inventory under M-104  
On hand first day of period  
Received during period  
Used, subject to quota, during period  
Used, for sale to exempt agencies, during period  
On hand last day of period  
Closures made from waste:

On hand first of period  
Received during period  
Used during period  
On hand last day of period  
Re-used crowns used during period

## CERTIFICATION

The undersigned certifies that the above information is complete and correct to the best of his knowledge and belief:

Name of Bottler

Date \_\_\_\_\_

Section 35 (a) of the United States Criminal Code, 18 U.S.C.A. 80, makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

U.F. R. Doc. 43-332; Filed, January 6, 1943; 5:06 p. m.]

**PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES**

[Limitation Order L-158 as Amended Dec. 31,  
1942<sup>1</sup>]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel and

<sup>1</sup> This document is a restatement of Amendment 1 to Limitation Order L-158 as amended December 12, 1942, which appeared in the FEDERAL REGISTER of January 5, 1943, page 80, and reflects the order in its completed form as of December 31, 1942.

other materials required for the production of replacement parts for passenger automobiles, light, medium and/or heavy motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1297.1. Limitation Order L-158—  
(a) Certain orders hereby superseded.

This order, Limitation Order L-158, supersedes Limitation Order L-4 issued September 18, 1941 and all amendments thereto; supplementary Limitation Order L-4-c issued May 5, 1942 and all amendments thereto; Limitation Order

#### SCHEDULE IV

## BEVERAGE CLOSURES

A. From December 23, 1942, to December 31, 1942, any person shall have the option of using closures for the bottling of malt and non-alcoholic beverages in accordance with the provisions of Order M-104 as amended September 26, 1942, or in accordance with this schedule. On and after January 1, 1943, no person shall use closures for such purpose except in accordance with this schedule.

<p><b>Product: Malt beverages, including only beer, ale, porter, near-beer, and mixtures thereof.</b></p> <p><b>Quota:</b> Any person who produced in 1941 less than 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 100 percent, and any person who produced in 1941 over 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding month of 1941. In the case of a person who packed all or part of his 1941 production in casks, each such can may be counted as a closure affixed to a glass container. In the case of a person who did not produce any malt beverages in 1941, such beverages bottled by him, shall be considered as having been produced by him, and his authorized usage of closures shall be calculated accordingly.</p> <p><b>Product: Non-alcoholic beverages, including only carbonated soft drinks, non-carbonated soft drinks, unflavored carbonated waters; unflavored naturally carbonated and still waters; drinks consisting of fruit juices, vegetable juices, and combinations thereof, where less than 85 percent by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.</b></p> <p><b>Quota:</b> Any person who used in 1941 less than 5,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 100 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 5,000 and less than 7,000 gross of closures, may use not to exceed 5,000 gross of closures in any twelve-month period, commencing with October 1, 1942; the number used during any calendar quarter to be at the same proportionate rate he affixed closures to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 7,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941.</p>	<p><b>Product—Bottling quota</b></p>	<p><b>Closure material</b></p>	<p><b>Closure material</b></p>
<p>Triplate and blackplate allocated for purposes of crown manufacture, only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.</p>	<p>Triplate and blackplate allocated for purposes of crown manufacture only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.</p>		

(1) No person, other than a jobber purchasing for resale, shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 20 percent of the number of such closures and caps which he used in 1941 for packing malt beverages and non-alcoholic beverages. If no closures made of tinplate, terne plate, or black-plate shall be affixed to glass containers smaller than 12 fluid ounces, for packing unflavored carbonated, natural or mineral waters, unless such glass containers were manufactured on or before June 1, 1942.

(3) All persons who bottle malt beverages or non-alcoholic beverages, shall report upon Form PD-519 to the Containers Division, War Production Board, Washington, D. C.

### SCHEDULE V—HOME CANNING CLOSURES

Description of closure	Manufacturer's quota from October 1, 1942, to September 30, 1949	Closure material indicated by x		
		0.50 Tin-plate	Rubber	Wire bails
1. Shoulder seal jar rings for 70 mm. Mason finish.	Subject to allocation of rubber.		x	
2. Top seal jar rings for use with 70 mm. glass disc.	Subject to allocation of rubber		x	
3. Top seal metal lids, 70 mm. (a).	125 percent of number of metal lids produced from October 1, 1941, to September 30, 1942.	x	x	
4. Bands for 70 mm. top seal metal lids (a).	80 percent of number of such bands produced from October 1, 1941, to September 30, 1942.	x		
5. Bands for use with 70 mm. glass lids.	Unlimited	x		
6. Lightening type, 70 mm.	Unlimited			x
7. Top seal metal lids, smaller than 70 mm.	Unlimited	x	x	

(a) During the period from October 1, 1942, to September 30, 1943, no manufacturer or jobber of glass containers shall affix, for purposes of sale as a combination, 70 mm. top seal metal lids with bands, to more than 60 percent of the number of home canning jars produced or sold by him between October 1, 1941 and September 30, 1942.



L-35 issued January 22, 1942 and all amendments thereto.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers of replacement parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA-2X.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for transportation of property, or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than 11 persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, means only the following enumerated parts (including components entering into such parts) used for the repair or maintenance of such vehicles:

(1) For all such vehicles: (1) engines (component parts only), (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield

wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling systems, (19) fuel systems, (20) lubricating systems, (21) electrical systems including generators, motors, lights, reflectors and signal horns, (22) windshield safety glass.

(ii) In addition, but only for medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles: (23) power dividers and take offs, (24) transfer cases, (25) fuses and flares, (26) directional signals, (27) coupling devices, (28) trailer landing gears, (29) seats, (30) front fenders (only that type which support built in lighting), (31) defroster heaters, (32) truck refrigeration units, (33) liquid measuring gauges.

(iii) In addition, but only for passenger carriers: (34) body structural repair parts, (35) sash, (36) destination signs, (37) fare boxes, (38) guards and grab rails, (39) door operating mechanisms, (40) doors and door hardware, (41) signaling devices, (42) heating and ventilating equipment. For school bus bodies and cabs: only the foregoing parts, (34) to (42).

(iv) In connection with truck-body conversion: (43) cab assemblies.

(9) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in subparagraph (8), above.

(10) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of replacement parts, as defined in subparagraph (8) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function.

(11) "Inventory" means a stock of replacement parts, as defined in subparagraph (8) above, on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(12) "Third and fourth calendar quarters of 1942" means respectively the period from July 1, 1942, to September 30, 1942, and the period from October 1, 1942, to December 31, 1942.

(13) "Average calendar quarter of 1941" means one-fourth of the producer's total sales at dollar cost value of the replacement part of his own manufacture sold by him during 1941.

(d) *Prohibitions on production.* (1) On and after July 4, 1942, no producer shall manufacture any parts for passenger automobiles and light trucks except the replacement parts enumerated in paragraph (c) (8) (i) above.

(2) On and after July 31, 1942, no producer shall manufacture any parts for medium and/or heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except the replacement parts enumerated in paragraph (c) (8) above.

(3) In the production of such replacement parts, no materials shall be used which are prohibited by M orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations of the War Production Board.

(e) *Restrictions on production of replacement parts for passenger automobiles and light trucks.*

(1) During the fourth calendar quarter of 1942, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941; *provided* such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the fourth quarter, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941; *provided* that such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued



at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941; provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(f) *Restrictions on production of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles.*

(1) During the fourth calendar quarter of 1942, a producer of replacement parts for medium, and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed seventy-five percent (75%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the fourth quarter above his inventory of finished parts at the beginning of the quarter. In determining dollar

cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed one hundred percent (100%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943 above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(g) *Exceptions to applicability of this order.* The terms and restrictions of this order shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States or the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(h) *Return of replacement parts.* Replacement parts returned to a producer by a distributor are not to be scheduled in the producer's inventory during the quarter in which the parts are received, but shall be included in the producer's inventory in the succeeding calendar quarter.

(i) *Restrictions on sales to consumers.* (1) On and after July 15, 1942, no producer or distributor shall sell or deliver any replacement part to a consumer unless the consumer delivers to the producer or distributor concurrently with the purchase a used part (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to the consumer. No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can recondition by use of available reconditioning facilities.

(2) Notwithstanding the provisions of paragraph (i) (1) above, a producer or distributor may sell and deliver any replacement part to a consumer without receiving a used part in exchange therefor, *Provided*, That:

(i) The producer or distributor does not install such part in the consumer's vehicle; and

(ii) The consumer signs and delivers to the producer or distributor concurrently with each purchase order (or on the written confirmation thereof if such order is placed by telephone or telegram) a certificate in the following form:

#### CONSUMER'S CERTIFICATE

I hereby certify that: (a) The replacement parts specified on this order are essential for repair of vehicle(s) I now own or operate; (b) these parts will be used only for replacement of parts that, to the best of my knowledge, cannot be reconditioned by use of available facilities; and (c) I will, within thirty days after receiving the new part(s), dispose of through scrap channels a used part(s) (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to me.

Signed) \_\_\_\_\_  
Vehicle Owner or Operator

(Address) \_\_\_\_\_

The foregoing certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The provisions of this paragraph (i) shall not apply to any Federal or Territorial department, bureau or agency, or to a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts.

(j) *Restrictions on distributors' inventories.* (1) On and after August 15, 1942, no distributor, whose principal place of business is located in the Eastern or Cen-



tral War Time Zone, shall order more than a thirty-day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts measured in total dollar cost value, shall exceed a sixty-day supply. Sixty-day supply means a supply in dollar cost value equal to two-thirds of the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(2) No distributor, whose principal place of business is located in any other war time zone, shall order more than a forty-five day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts, measured in total dollar cost value, shall exceed a ninety-day supply. Ninety-day supply means a supply in dollar cost value at distributor's cost equal to the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above, but only to the extent necessary to bring such distributor's inventory of those specific items up to a total dollar value equal to the sales of such items shipped from such inventories during the preceding month.

(4) No distributor may keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or condemned replacement parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(5) Replacement parts consigned to a distributor are not to be considered as part of the distributor's inventory.

(k) *Emergency orders for replacement parts.* Notwithstanding the provisions of paragraph (j) above, a distributor may order and accept delivery of any replacement part which he does not have in stock when required for repair of a designated vehicle which cannot be operated without such part. In such emergency, to secure a replacement part under this paragraph (k), a distributor must file with his order to the producer for said part a certificate in the following form:

*Certificate for Emergency Order*

I hereby certify that the replacement part specified in the attached order is essential for the repair of the following vehicle, which cannot now be operated without such part:

Make: \_\_\_\_\_ Engine Number: \_\_\_\_\_  
(signed) \_\_\_\_\_

Firm, Partnership or Corporation  
By: \_\_\_\_\_  
Title of Individual \_\_\_\_\_

Address of Firm, Partnership or Corporation \_\_\_\_\_

A copy of each such certificate must be retained by the distributor issuing such certificate as a part of his records.

A producer or other distributor to whom any such emergency order is submitted must give such order precedence in shipment over other orders not of an emergency nature.

(l) *Certificate by distributor required.* Whenever a distributor places an order for replacement parts, each order must be accompanied by a certificate in the following form:

*Certificate of Compliance with Order L-158*

The quantity of replacement parts ordered on the attached purchase order does not exceed the quantity which I am entitled to purchase under the provisions of Limitation Order L-158, with the terms of which I am familiar.

(Signed) \_\_\_\_\_  
Firm, Partnership or Corporation  
By: \_\_\_\_\_  
Title of Individual \_\_\_\_\_  
Address of Firm, Partnership or Corporation \_\_\_\_\_

A copy of each such certificate must be retained by the distributor as part of his records.

(m) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(n) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(o) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(p) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(q) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. In order to facilitate conversion to complete war production appeals may be made to increase or to transfer to other producers quotas established in paragraphs (e) and (f) above. The Director General for Operations may thereupon take such action as he deems appropriate.

(r) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref: L-158.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-333; Filed, January 6, 1943;  
5:06 p. m.]

PART 3067—TEXTILE SHIPPING BAGS

[Conservation Order M-221 as Amended Dec. 31, 1942<sup>1</sup>]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of textile bags for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3067.1 *Conservation Order M-221—*  
(a) *Definitions.*

(1) "Textile bag" means any shipping container made of cotton, burlap, or any jute fabric. The term includes wool pouches, but does not include other bale covers or textile wrappings.

(2) "New textile bag" means any textile bag which has not been used and "used textile bag" means any textile bag which bag, or the fabric thereof, has been used one or more times for packing any product.

(3) "Dealer" means any person who is engaged in the business of buying and selling empty textile bags, whether or not he is also a user or a commercial emptier.

(4) "User" means any person who uses textile bags for packing any product.

(5) "Commercial emptier" means, as of any time, any person who has acquired more than 400 textile bags during any of the six calendar months prior to such time, by removing the contents of filled bags.

(b) *Restrictions pertaining to new textile bags made of burlap.* (1) No person manufacturing textile bags made of burlap, and no dealer shall, during any calendar year, sell or deliver to any person more than 50 percent of the number of new textile bags made of burlap which he delivered to such person during the calendar year 1941; provided, however, that new textile bags made of burlap may be sold and delivered to any person pursuant to express authorization by the Director General for Operations, the Director of Industry Operations, or the Director of Priorities, under any appeal granted prior to November 2, 1942, under Conservation Order M-47.

(2) No new textile bag which is made of burlap, and which is acquired by any user after November 2, 1942, shall be used for any purpose except for packing the following products:

Barley, beans and peas, chemicals (other than fertilizer), dairy products,

<sup>1</sup> This document is a restatement of Amendment 1 to Conservation Order M-221 which appeared in the FEDERAL REGISTER of January 5, 1943, page 96, and reflects the order in its completed form as of December 31, 1942.



mohair, potatoes, rice, salt (rock), seeds, feeds and meals for animal consumption, fruits (dried), nuts, sponges, starch, sugar (raw), wheat, wool and wool products.

(c) *Restrictions pertaining to new and used textile bags.* (1) No person shall manufacture, sell, or deliver any textile bag which he knows or has reason to believe will be delivered or used in violation of any provision of this order.

(2) No person shall sample the contents of any new or used textile bag except by opening the seam or the closure, or by inserting a probe or trier without damage to the fabric. No commercial emptier shall remove the contents of any textile bag except by opening the seam or closure, unless the contents have become caked or solidified to the extent that salvage of the bag is not practicable.

(3) No person shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(4) No person shall purchase or accept delivery of any new or used textile bag to be used for defense against air raids or any other act of the enemy.

(d) *Restrictions pertaining to used textile bags.* (1) No dealer or commercial emptier shall deliver to a user any used textile bag of sound material unless such bag shall have been repaired and all holes, including trier or probe holes, properly mended or patched; provided that nothing in this paragraph (d) (1) shall prevent the return of an unrepaired leased bag to the owner, or the delivery of any bag to a person for the purpose of repair.

(2) Within 60 days from the date textile bags are acquired by a commercial emptier by emptying the contents of filled bags, an equal number of textile bags shall be withdrawn from his inventory of empty bags, and shall be used by the emptier or sold or transferred to a dealer or to another user; provided that, if such commercial emptier is also a dealer, he may hold such bags as a dealer.

(3) No dealer or commercial emptier shall sell or deliver any textile bag which has been used for packing raw sugar, and which is capable of carrying raw sugar, to any user except for packing raw sugar.

(4) For the purposes of this paragraph (d) (4):

"Wool bag" means any textile bag which is made of burlap, and which is between 6 and 7½ feet in length.

"#1 wool bag" means any wool bag which is capable of being repacked to its intended capacity, with grease wools.

"#2 wool bag" means any wool bag which is capable of carrying grease wools, but which, because of its condition, is not capable of being repacked to its intended capacity.

Unless acquired before November 2, 1942, no new wool bag or no #1 wool bag shall be used for any purpose except by a grower for packing grease wools known to the trade as Territory, California, or Texas wools, or by a person performing a grading operation, for packing such grease wools.

Unless acquired before November 2, 1942, no #2 wool bag shall be used for any purpose except by a grower for pack-

ing grease wools known to the trade as fleece wools, or by a person performing a grading operation, for packing such grease wools.

When no longer capable of carrying grease wools, such wool bags shall be used only for packing scoured wools, noils, or wool wastes; provided that when such wool bags are no longer capable of carrying scoured wools, noils, or wool wastes, there shall be no restriction upon the disposition or use of such wool bags.

(5) No wool pouch imported from Australia, New Zealand, or South Africa, which is acquired by any user after November 2, 1942, and which is capable of carrying wool or wool products, shall be used for any purpose other than for packing wool or wool products.

(e) *Miscellaneous provisions.*—(1) *Applicability of order.* The restrictions imposed by this order shall not apply to:

(i) The sale, delivery, or use of any textile bag made of cotton, to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration of the United States.

(ii) The sale, delivery, or use of any textile bag made of burlap, when such bag is manufactured from burlap set aside pursuant to any provision for Stockpiling of Imports, contained in Conservation Order M-47, as amended from time to time.

(2) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(3) *Reports.* On the fifteenth day of each month, every dealer, user or emptier, who has in his possession at any time during the year 1942 more than 15,000 textile bags, exclusive of new textile bags made of cotton, shall report upon Form PD-645 to the Containers Division, War Production Board, Washington, D. C., his inventory, receipts, and usage of textile bags.

(4) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional or unreasonable hardship upon him, may appeal to the Director General for Operations by letter, setting forth the pertinent facts and reasons why such person considers that he is entitled to relief. The Director General may thereupon take such action as he deems appropriate.

(5) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(6) *Expiration.* This order shall expire January 18, 1943.

(F.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O.

9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-334; Filed, January 6, 1943;  
5:07 p. m.]

#### PART 949—CHROMIUM

[Supplementary Order M-18-b as Amended  
Jan. 7, 1943]

Section 949.3 *Supplementary Order M-18-b* is hereby amended to read:

§ 949.3 *Supplementary Order M-18-b*—(a) *Definition.* "Primary chromium chemicals" means bichromate of soda, bichromate of potash, sodium chromate and all chromium tanning compounds.

(b) *Directions with respect to delivery and use.* The Director General for Operations may from time to time issue specific directions with respect to the delivery, acceptance of delivery, or use by any person of primary chromium chemicals.

(c) *Restrictions on inventories.* No consumer of primary chromium chemicals shall accept delivery of primary chromium chemicals if the inventory of such material of the person accepting delivery is, or will by virtue of such acceptance become, in excess of a thirty-day supply thereof, having regard to current permissible use or sale, but this order shall not prevent a person's accepting delivery thereof in the smallest practical delivery unit.

(d) *Reports by consumers of primary chromium chemicals.* Each person who in any calendar month consumes 500 lbs. or more of primary chromium chemicals shall, on or before the 8th day of the succeeding month, file Form PD-54 with the War Production Board, Chemicals Division, Washington, D. C., Ref: M-18-b, retaining a copy for his files. The filing of such form shall, in so far as concerns primary chromium chemicals, be in lieu of the filing of any form pursuant to paragraph (e) of General Preference Order M-18-a. Any person affected by this order shall file such additional reports as may from time to time be directed by the Director General for Operations.

(e) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.



(3) *Communications to War Production Board.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C.; Ref: M-18-b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-362; Filed, January 7, 1943;  
11:47 a. m.]

#### PART 971—ETHYL ALCOHOL AND RELATED COMPOUNDS

[General Preference Order M-30 as Amended  
Jan. 7, 1943]

Whereas the national defense requirements have created shortages of ethyl alcohol and related compounds for defense, for private account, and for export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof: *Now, therefore, it is hereby ordered, That:*

§ 971.1 *General Preference Order M-30—(a) Definitions.* (1) "Ethyl alcohol" means ethyl alcohol of 160 proof or more, denatured or undenatured, and from whatever source derived, but shall not include ethyl alcohol produced for beverage purposes.

(2) "Related compounds" means acetic acid, ethyl ether and ethyl acetate from whatever source derived.

(3) "Producer" means any person engaged in the production of ethyl alcohol or related compounds, and includes any person who has ethyl alcohol or any related compounds produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases ethyl alcohol or any related compounds for purposes of resale.

(5) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1 and October 1.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on use and deliveries of ethyl alcohol.* Anything in Priorities Regulation 1 to the contrary notwithstanding, and except as hereafter may be otherwise directed by the Director General for Operations:

(1) No person shall, during any calendar quarter commencing January 1, 1942, accept delivery of ethyl alcohol for any purpose not specified in paragraphs (c) (2), (c) (3), (c) (4) and (c) (8) hereof in excess of 100% of the quantity of ethyl alcohol which he used (dis-

tributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(2) No person shall during any calendar quarter commencing January 1, 1943, accept delivery of ethyl alcohol for a purpose set forth below in excess of 50% of the quantity of alcohol which was used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the 12-months period ended June 30, 1941; and no person shall during the month of December, 1942 accept delivery of ethyl alcohol for a purpose set forth below in excess of 50% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during December, 1940; provided further, however, that the quantity of ethyl alcohol used (or distributed) by such person for such purpose in the fourth quarter of 1942 shall not exceed 70% of the quantity used by him for such purpose in the corresponding quarter of 1940:

Sandy glazes.  
Shoe polish.  
Deodorants sprays (non-body).  
All toiletries and cosmetics including but not limited to:  
Hair and scalp preparations.  
Bay rum.  
Shampoos.  
Face and hand creams and lotions.  
Body deodorants.  
Toilet waters.  
Perfume and perfume materials, tinctures and fixatives.  
Toilet soaps (including shaving cream).  
Mouth washes.  
Tooth cleaning preparations.  
Witch hazel.

For the purposes of this paragraph (c) (2) all toiletry and cosmetic uses of ethyl alcohol shall be considered as a whole, and the use during the base period of ethyl alcohol in a particular toiletry or cosmetic product may be used to support the future use of ethyl alcohol (in the indicated percentage) in a different toiletry or cosmetic product. For example, ethyl alcohol used in toilet waters during the base period would support the future manufacture of after shave lotions containing ethyl alcohol.

(3) No person shall, during any calendar quarter commencing July 1, 1942, accept delivery of ethyl alcohol for the manufacture of vinegar in excess of 110% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(4) Persons may, subject to Priorities Regulation 1, accept delivery of ethyl alcohol for the purposes set forth below without limitation:

Military explosives.  
Acetic acid (except vinegar for food use).  
Ethyl acetate.  
Ethyl chloride.  
Other ethyl esters.  
Plastics and resins (manufacture of).  
Acetaldehyde.  
Ethyl ether.  
Basic medicinal chemicals not in compounded form.

Glycol and other ethers.  
Fulminate of mercury.  
Ethylene dibromide.  
Xanthates.  
Flotation reagents.  
Ethylene gas and ethylene oxide.  
Dyes and intermediates (manufacture of).  
Nitrocellulose (dehydration).  
Nitrocellulose (dissolving and as diluent).  
Diethylamine (for the manufacture of synthetic rubber).  
Hydrosulfites.  
Pectin.  
Shellac, natural resins and gums (dissolving).

(5) No producer shall, during any calendar quarter commencing January 1, 1942, use ethyl alcohol in excess of the quantity of ethyl alcohol, delivery of which he may accept pursuant to subparagraphs (c) (1), (c) (2), (c) (3) and (c) (8) hereof.

(6) No producer or distributor shall deliver any ethyl alcohol to any person during any calendar quarter unless, prior to such delivery he shall have received from the deliverer a certificate in substantially the following form (the certificate need not include any of subdivisions A, B, C, or D of the certificate when inapplicable under the circumstances, provided that at least one of said subdivisions is included):

The undersigned hereby certifies to the War Production Board and to his supplier that he is familiar with General Preference Order M-30 and is entitled under said order to receive the ----- gallons of ethyl alcohol hereby ordered for delivery in -----, 194-; and certifies further: (month)

A. That the ethyl alcohol hereby ordered is for a purpose set forth in paragraph (c) (1), (c) (2), (c) (3), (c) (8) [strike out inapplicable paragraph numbers] and is not, taken together with all other ethyl alcohol received or to be received in this quarter, in excess of ---- % of the quantity used for the same purpose during the corresponding calendar quarter in the 12 months period ended June 30, 1941.

B. That the ethyl alcohol hereby ordered is for a purpose set forth in paragraph (c) (1), (c) (2) or (c) (3) and is not, taken together with all other ethyl alcohol received or to be received, in the aforesaid month, in excess of 54 gallons.

C. That the ethyl alcohol hereby ordered is for a purpose set forth in paragraph (c) (4); namely for -----

D. That the undersigned is one of the class of persons excepted by paragraph (c) (7).

-----  
Name of purchaser

By -----  
Duly authorized official Title

-----  
Date

If a delivery is for use in cutting shellac, delivery shall not be made by a producer or distributor unless the certificate of the deliverer shall set forth (in addition to the foregoing): "The quantity of ethyl alcohol received and to be received during the month for which delivery is hereby ordered will not exceed the quantity thereof required to cut and thin the quantity of shellac allocated to the undersigned for such month (or which the undersigned as a supplier is specifically



authorized to cut during such month) under Conservation Order No. M-106.

(7) The restrictions and requirements hereinabove set forth with respect to the use and delivery of ethyl alcohol shall not apply to delivery to:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development.

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia.

(iii) The government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iv) Persons holding permits issued by the Bureau of Internal Revenue permitting them to acquire undenatured ethyl alcohol tax free.

Quantities permitted hereunder shall be in addition to quantities permitted under paragraph (c), (1), (2) and (3) hereof.

(8) No person shall during any calendar quarter commencing January 1, 1943, accept delivery of ethyl alcohol for the purpose of the manufacture of any rubbing alcohol compound or preparation in excess of 15% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(d) *Small order exemption.* Nothing in paragraphs (c) (1), (c) (2) or (c) (3) hereof shall be held to restrict or prevent the acceptance of delivery by any person in any month of 54 gallons of ethyl alcohol, or less, in the aggregate.

(e) *Manufacture of anti-freeze.* The quantity of ethyl alcohol that may be used in the manufacture of anti-freeze shall be controlled by the provisions of General Limitation Order L-51, as amended from time to time.

(f) *Restrictions on production of ethyl alcohol.* Except as may be otherwise directed by the Director General for Operations, no producer shall, after January 15, 1942, produce ethyl alcohol from molasses (as defined in General Preference Order M-54, as amended) unless his equipment and facilities capable of producing ethyl alcohol from corn or grain are being utilized to the fullest extent possible in the production of ethyl alcohol from corn or grain.

(g) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board.

(h) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms hereof.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of ethyl alcohol and related compounds conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference M-30, attention Chemicals Division, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(k) *Prohibited deliveries.* On and after November 11, 1942, no person shall deliver ethyl alcohol or any compound or preparation containing ethyl alcohol for use as rubbing alcohol or for the manufacture of any rubbing alcohol compound or preparation; provided that this restriction shall not prevent deliveries to:

(1) The agencies, governments or persons specified in paragraph (c) (7) hereof;

(2) Licensed physicians, dentists and veterinarians;

(3) The holders of written prescriptions or orders of licensed physicians, dentists and veterinarians;

(4) A wholesale or retail druggist, for resale in accordance with this paragraph (k) only.

(5) A manufacturer of any rubbing alcohol compound or preparation or a packager or bottler of any such compound or preparation (in amounts not exceeding the amounts permitted by paragraph (c) (8) hereof), for resale in accordance with this paragraph (k) only.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. (2a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-364; Filed, January 7, 1943;  
11:46 a. m.]

# PART 971—ALCOHOL

[General Preference Order M-31, as Amended  
Jan. 7, 1943]

To conserve the supply and direct the distribution of methyl alcohol (methanol) § 971.2 *General Preference Order M-31* is hereby amended to read:

§ 971.2 *General Preference Order M-31—(a) Definitions.* (1) "Methyl alcohol" (methanol), known also as wood alcohol, means methyl alcohol in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of methyl alcohol and includes any person who has methyl alcohol produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases methyl alcohol for purposes of resale.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, no producer or distributor shall on and after January 15, 1943 deliver or use methyl alcohol, and no person shall accept delivery of methyl alcohol from a producer or distributor, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each calendar month will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. He may also at any time issue directions with respect to the use or uses which may or may not be made of material to be delivered or then on hand, or issue directions to a producer with respect to the grade of methyl alcohol which he may or must manufacture.

(3) Each person specifically authorized to accept delivery of methyl alcohol shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Methyl alcohol allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Methyl alcohol allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

(5) The quantity of methyl alcohol that may be used in the manufacture of anti-freeze shall be controlled by the provisions of General Limitation Order No. L-51, as amended from time to time.

(c) *Small order exemption.* No specific authorization shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 54 gallons or less of methyl alcohol in the aggregate: *Provided*, That such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his sup-



plier that the methyl alcohol hereby ordered for delivery in \_\_\_\_\_, 194\_\_\_\_, does not, taken with all other methyl alcohol delivered or to be delivered in such month, exceed 54 gallons.

-----  
Name of purchaser  
By -----  
Authorized official title

Provided, however, That no producer shall deliver an aggregate amount of methyl alcohol in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of his estimated production of methyl alcohol for such month.

(3) The use by any producer in any calendar month of 54 gallons or less of methyl alcohol in the aggregate.

(d) *Applications for delivery of methyl alcohol and reports.* (1) Each person seeking authorization to accept delivery of methyl alcohol during any calendar month, beginning with February, 1943, whether for his own consumption or resale, (and each producer seeking authorization to use methyl alcohol during any calendar month) shall file application therefor on or before the 10th day of the month preceding the month for which authorization for delivery or use is requested, except that requests for delivery from a distributor shall be filed not later than the 7th day of such preceding month. Application for acceptance of delivery or use in January, 1943, shall be filed as many days as possible in advance of the requested delivery or use. In any case, such application should be made on Form PD-600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-31, the fifth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "methyl alcohol"; under "WPB Order No.", specify "M-31"; under unit of measure, specify gallons; under name of your company, specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, indicate grade in terms of the following: Pure, denaturing grade, 95-97%.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Acetic acid.	Methyl acetate.
Denaturant.	Methyl chloride.
Dimethyl aniline.	Methyl formate.
Dimethyl phthalate.	Methyl methacrylate.
Ethylene glycol.	Other (specify).
Formaldehyde.	Resale (as methyl alcohol).
Formamide.	Inventory (as methyl alcohol).
Formic acid.	
Methyl amine.	

(vi) In Column 4, specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "formaldehyde," the "ultimate use" of the product might be "phenol formaldehyde resin." Also, specify in each case whether your customer is Army, Navy,

other government agency, Lend-Lease or commercial customer, and give government specification number, if any. Where the Form PD-600 is an application for methyl alcohol for resale to others, leave Column 4 blank. Where the Form PD-600 is an application for methyl alcohol for inventory, applicant shall specify in Column 4 the amount, if any, considered necessary to bring his inventory to a safe working minimum.

(2) Each producer or distributor seeking authorization to make delivery of methyl alcohol during any calendar month, beginning with February, 1943, shall file application on or before the 17th day of the month preceding the month for which authorization is requested. Where authorization to deliver in January, 1943, is sought, such Form PD-601 shall be filed as many days as possible in advance of the requested delivery. Such application shall be made on Form PD-601 in the manner prescribed herein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-31, the fourth to be retained for applicant's files. A separate set of Form PD-601 shall be filed for each grade of methyl alcohol for which authorization to deliver is sought, viz. Pure, denaturing grade, 95-97%.

(iii) Producers and distributors who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "methyl alcohol"; under WPB Order No., specify "M-31"; under name of company, state your name and mailing address; under unit of measure, specify gallons; and state the month and year during which deliveries covered by the application are to be made.

(v) List all customers alphabetically. The names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)" and in Column 4 specify the estimated quantity. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand total for all sheets on the last sheet which is the only one that need be certified.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Leave Column 6 blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Forms PD-600 and PD-601.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Prior-

ity Regulations as amended from time to time.

(2) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M-31.

This amended order shall take effect January 15, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-363; Filed, January 7, 1943; 11:46 a. m.]

#### PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Amendment No. 1 to Supplementary Limitation Order L-1-g as Amended Dec. 11, 1942]

Section 976.17 *Supplementary Limitation Order L-1-g* is hereby further amended in the following particulars:

1. Paragraph (k) *Authorized production of tank trailers*, is amended to read as follows:

(k) *Authorized production of trailers.*

(1) Notwithstanding the provisions of paragraph (b) of this order, producers may manufacture a total of 800 tank trailers in such quantities, of such types and within such periods of time as may hereafter from time to time be specifically authorized by the Director General for Operations.

(2) In addition to the production authorized in the preceding subparagraph (1), the Director General for Operations may hereafter from time to time specifically authorize further production of trailers in such quantities, of such types and within such periods of time as he may determine.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-365; Filed, January 7, 1943; 11:48 a. m.]



## PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Limitation Order L-1-h as Amended Jan. 7, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of heavy motor trucks for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 976.18 *Supplementary Limitation Order L-1-h*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of heavy trucks (including off-the-highway motor vehicles when produced under this order) without regard to purchase orders or contracts placed with them for other materials on ratings lower than AA-4.

(b) *Definitions.* For the purposes of this order:

(1) "Heavy truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 16,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor, including off-the-highway motor vehicles.

(2) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(3) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of heavy trucks and off-the-highway motor vehicles.

(4) "G. V. W. group" means gross vehicle weight classification, as authorized by the producer.

(c) *Production of heavy trucks authorized.* Irrespective of the terms of Supplementary General Limitation Order L-1-e, issued April 11, 1942, and in order to replace heavy trucks heretofore or hereafter withdrawn for use by the Army, Navy and Lend-Lease Administration since June 1, 1942, from stocks intended for rationing to civilians under General Conservation Order M-100, the producers named below are hereby authorized to produce heavy trucks during

the period from August 1, 1942 to March 31, 1943, according to the following schedule:

NOTE: Schedules amended January 7, 1943.

(d) Commencing September 1, 1942, producers shall report to the Automotive Branch, War Production Board, on the first day of each month the number of units produced in the preceding thirty (30) days on Form PD-571.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who willfully violates any provisions of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as is deemed appropriate.

(j) *Communications.* All communications concerning this order shall be addressed to, War Production Board, Automotive Division, Washington, D. C., Ref: Order L-1-h.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

Producer	G. V. W. groups (by thousand pounds)	Number of units
Autocar Co., Ardmore, Pa.	40 to but not including 45...	10
	50 to but not including 60...	35
		45
Dart Truck Co., Kansas City, Mo.	25 to but not including 30...	19
	40 to but not including 45...	40
	60 to but not including 70...	36
	100 and over...	1
		96
Euclid Road Machinery Co., Cleveland, Ohio.	50 to but not including 60...	200
	70 to but not including 100...	50
		250
Four Wheel Drive Auto Co., Clintonville, Wis.	16 to but not including 20...	5
	20 to but not including 25...	65
	25 to but not including 30...	49
	30 to but not including 35...	4
	35 to but not including 40...	3
		129
Hendrickson Motor Truck Co., Chicago, Ill.	20 to but not including 25...	2
	25 to but not including 30...	1
	30 to but not including 35...	6
		9
International Harvester Co., Chicago, Ill.	20 to but not including 25...	150
	60 to but not including 70...	25
		175
Kenworth Motor Truck Corp., Seattle, Wash.	25 to but not including 30...	3
	35 to but not including 40...	18
	40 to but not including 45...	22
	50 to but not including 60...	17
		60
Mack Manufacturing Corp., Long Island City, N. Y.	16 to but not including 20...	200
	20 to but not including 25...	103
	25 to but not including 30...	90
	30 to but not including 35...	216
	35 to but not including 40...	26
	40 to but not including 45...	95
		791
Peterbilt Motors Co., Oakland, Calif.	35 to but not including 40...	6
	40 to but not including 45...	30
	50 to but not including 60...	4
		40
Reo Motors, Inc., Lansing, Mich.	16 to but not including 20...	115
	20 to but not including 25...	64
	25 to but not including 30...	22
	30 to but not including 35...	38
		239
Sterling Motor Truck Co., Inc., Milwaukee, Wis.	16 to but not including 20...	3
	20 to but not including 25...	7
	30 to but not including 35...	10
	35 to but not including 40...	42
	40 to but not including 45...	37
	45 to but not including 50...	9
		110
Walter Motor Truck Co., Ridgewood, N. Y.	20 to but not including 25...	1
	30 to but not including 35...	4
	40 to but not including 45...	22
	60 to but not including 70...	45
		72
The White Motor Co., Cleveland, Ohio.	16 to but not including 20...	776
	20 to but not including 25...	591
	25 to but not including 30...	77
	30 to but not including 35...	60
	35 to but not including 40...	60
		1,564
		3,580

[F. R. Doc. 43-366; Filed, January 7, 1943; 11:47 a. m.]



## PART 1084—CANNED FOODS

[Conservation Order M-237, as Amended  
January 7, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the available supply of canned fruits and vegetables for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

## § 1084.15 Conservation Order M-237—

(a) *Definitions.* For the purposes of this order:

(1) "Canner" shall mean any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) "Civilian pack" shall mean the total amount by weight of all grades of all restricted canned foods in any one of the three groups listed in Exhibit A canned by any canner during the season specified, excluding any food which the canner is required to set aside by Conservation Order M-86 and orders amendatory and supplementary thereto, and which is not released from the operation of such orders by the Director General for Operations, and also excluding any canned foods actually purchased by or contracted for, or packed pursuant to duly authorized letter of intent issued by, any non-quota purchaser. This definition shall not be deemed to affect or change the meaning of the term "pack" as used in Conservation Order M-81, wherein such term refers to area of tinplate or terneplate, nor to affect or change the meaning of the term in Conservation Order M-86.

(3) "Restricted canned foods" shall mean any of the fruits and vegetables listed in Exhibit A attached hereto, packed in hermetically sealed metal or glass containers and sterilized by the use of heat, during the packing seasons indicated in said exhibit, excluding, however, liquid, strained, mashed or chopped canned foods, when packed as infant food or for invalid feeding, and excluding jams, jellies, preserves, marmalades, pickles, relishes, and soups.

(4) "Non-quota purchaser" shall mean:

(i) The Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Defense Supplies Corporation, War Shipping Administration or any agency of the United States Government for supplies to be delivered to, or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessels.

(iii) Any person who furnishes eating facilities for members of the armed forces pursuant to contract therefor with the United States, for necessary supplies for such purpose, if such person furnishes copies of his contract to the canner, or other adequate evidence that such re-

stricted canned foods are required for such use.

(iv) Any person who purchases restricted canned foods for delivery in any territory or possession of the United States, if such person furnishes to the canner copies of purchase orders or other adequate proof that the restricted canned foods actually were purchased for delivery in any such territory or possession: *Provided*, That proof shall not be required of a government agency.

(v) Any person who purchases restricted canned foods for use in the commercial manufacture of food products, to the extent of his current requirements (grape juice, tomato pulp in 5 gallon cans, tomato paste in #10 cans, and peppers, only).

(vi) Any person who purchases restricted canned foods from a canner for resale to a non-quota purchaser, or to replace in his inventory material delivered to a non-quota purchaser, to the extent of his purchases for such purposes, if he furnishes to the canner copies of purchase orders or other adequate proof that such resales or deliveries were to non-quota purchasers.

(5) "Wholesale receiver" means any person other than a non-quota purchaser (regardless of whether or not he is also a canner) who since June 30, 1942, bought in excess of 4,000 cases of any group of restricted canned foods for any purpose.

(b) *Restrictions on delivery.* (1) No canner shall deliver any restricted canned foods to any wholesale receiver who he knows or has reason to believe under the terms of this order is not entitled to receive the same.

(2) Except as permitted in paragraph (3), any wholesale receiver who between August 1, 1942, and April 1, 1943, has accepted or shall have accepted delivery of restricted canned foods of any group equaling or exceeding the following percentage of his base figure

	Percent
for group I.....	70
for group II.....	80
for group III.....	80

shall not sell, deliver or use such excess of such group, and shall not accept delivery of any further restricted canned foods of such group. The base figure for each wholesale receiver for each group shall be, at his option, either the total of his acceptances of delivery, or of his sales, between January 1, 1942, and August 31, 1942, of all canned foods listed in such group, whenever packed. Canned foods for resale to non-quota purchasers or to replace in the wholesale receiver's inventory material so sold are subject to the limitations of this subparagraph unless evidence is furnished to the canner as prescribed in paragraph (a) (4) (vi).

(3) Notwithstanding the restrictions of subparagraph (2), any wholesale receiver who on January 7, 1943, or at any time thereafter, has in his possession or

under his control less than the following percentages of his base figure

	Percent
for group I.....	25
for group II.....	25
for group III.....	25

may accept delivery of a quantity of restricted canned foods of each group sufficient when added to the quantity in his possession or under his control, to equal the percentages hereinabove stated.

(4) No wholesale receiver may deliver during the month of November, 1942, and during each of the following months, more restricted canned foods of any group than monthly quotas constituting the following percentages of his base figure

	Percent
for group I.....	9
for group II.....	10
for group III.....	10

The base figure shall be calculated as prescribed in paragraph (b) (2). If during November, 1942, any wholesale receiver has delivered restricted canned foods of any group in excess of his permitted monthly quota for that group, he shall charge such excess against his quotas for December and January. Not less than 50% of such excess must be charged against the December quota. Deliveries to non-quota purchasers are not required to be charged against the monthly quota percentage prescribed by this paragraph (b) (4), if in calculating his quotas the wholesale receiver deducts deliveries to non-quota purchasers during the base period from the base figure. The restrictions of this paragraph (b) (4) shall expire on April 1, 1943, unless extended by further order of the Director General for Operations.

(c) *Reports.* Canners to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board may from time to time request.

(d) *Records.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order who considers that com-



pliance herewith would work an exceptional and unreasonable hardship upon him may appeal in writing to the Director General for Operations setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Food Division, Washington, D. C., Ref: M-237.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

#### EXHIBIT A

##### Group I

Fruits	Packing season
Apples, including crabapples.....	1942-43
Applesauce, including sauce from crabapples.....	1942-43
Apricots.....	1942
Berries of all kinds.....	1942
Cherries, red sour pitted.....	1942
Cherries, sweet.....	1942
Combinations of oranges and grapefruit.....	1942-43
Cranberries, including sauce and jelly.....	1942-43
Figs.....	1942
Fruits for salads.....	1942-43
Fruit cocktail.....	1942-43
Grapefruit.....	1942-43
Oranges.....	1942-43
Peaches, including nectarines.....	1942
Pears.....	1942
Pineapples.....	1942-43
Plums.....	1942
Prunes.....	1942

##### Group II

Fruit and vegetable juices	Packing season
Apple.....	1942-43
Beet.....	1942-43
Carrot.....	1942-43
Celery.....	1942
Cherry.....	1942
Cranberry.....	1942-43
Berry, all.....	1942
Grape.....	1942
Grapefruit.....	1942-43
Grapefruit and orange combination.....	1942-43
Lemon.....	1942-43
Lime.....	1942-43
Orange.....	1942-43
Pineapple.....	1942-43
Prune.....	1942-43
Sauerkraut.....	1942-43
Spinach.....	1942
Tomato and tomato cocktail.....	1942
Mixed vegetables.....	1942
All fruit nectars.....	1942

##### Group III

Vegetables	Packing season
Artichokes.....	1942-43
Asparagus.....	1942
Green and wax beans.....	1942
Green soya beans.....	1942
Lima beans.....	1942
Shell beans.....	1942
Beets.....	1942-43
Broccoli.....	1942
Brussels sprouts.....	1942
Cabbage.....	1942
Carrots.....	1942-43
Carrots and peas.....	1942-43
Cauliflower.....	1942
Celery.....	1942
Corn, including corn-on-cob.....	1942
Spinach and other green leafy vegetables.....	1942
Mushrooms.....	1942-43
Okra.....	1942
Onions.....	1942-43
Peas.....	1942
Peppers and pimentos.....	1942
Potatoes, white.....	1942-43
Pumpkin and squash.....	1942
Succotash.....	1942
Sweetpotatoes and yams.....	1942-43
Sauerkraut.....	1942-43
Tomatoes, whole or parts.....	1942
Tomato puree and pulp.....	1942
Tomato paste.....	1942
Tomato sauce.....	1942
Mixed vegetables, including vegetables for salad.....	1942

[F. R. Doc. 43-368; Filed, January 7, 1943; 11:47 a. m.]

#### PART 1134—TEA

[Conservation Order M-111 as Amended Jan. 7, 1943]

The uncertainty of shipments of tea from abroad and the fulfillment of requirements for the defense of the United States have created a shortage in the supply of tea for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1134.1 *Conservation Order M-111—(a) Applicability of Priorities Regulation No. 1.* This order, and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Tea" means packaged or bulk tea in any form.

(3) "Packer" means any person who packs tea owned by him or who has tea owned by him packed for his account by some other person.

(4) "Wholesale receiver" means any person (regardless of whether or not he is also a packer) who buys tea for:

(i) Resale exclusively or predominantly at wholesale.

(ii) Resale through four or more centrally-owned, affiliated, or independent stores owned or, for purchasing purposes, represented by him.

(iii) Resale at retail or for any other purpose not specified above, if his monthly purchases of tea during 1941 averaged 200 pounds or more per month.

NOTE: Paragraph (b) (5) was deleted and (b) (6) redesignated (b) (5) January 7, 1943.

(5) "Net deliveries" means the total deliveries of tea made by a packer or accepted by a wholesale receiver during a corresponding quarter of 1941 minus the total of any deliveries of tea made by him during that period to persons specified in paragraph (d) (4).

(c) *General restrictions.* (1) No packer shall accept delivery of tea or deliver tea packed by him or in bulk, except as permitted by this order.

(2) No wholesale receiver shall accept delivery of tea from any person, nor resell tea, except as permitted by this order.

(3) No person shall accept delivery of tea from any packer, and no person shall deliver tea to any packer or wholesale receiver, with knowledge or reason to believe that such packer is not entitled to deliver, or that such packer or wholesale receiver is not entitled to accept delivery of, such tea pursuant to this order.

(4) Every packer and every wholesale receiver shall sell tea equitably to purchasers and shall not favor purchasers who buy other products from them nor discriminate against purchasers who do not buy other products from them.

(d) *Quota restrictions and exceptions thereto.* (1) No packer shall accept delivery of more tea during any quota period than his total acceptance quota for that period as determined by the Director General for Operations from time to time. Acceptances against such quota shall be subject to the further restriction of paragraph (e-1) (1).

(2) No packer shall deliver more tea during any quota period than his delivery quota for that period as determined by the Director General for Operations from time to time.

(3) No wholesale receiver shall accept delivery of more tea during any quota period than his total acceptance quota for that period as determined by the Director General for Operations from time to time.

(4) Notwithstanding the foregoing restrictions, any packer may, without charge to his quota, accept delivery of and deliver tea to or for any of the following persons, and any wholesale receiver may, without charge to his quota, accept delivery of tea for redelivery to or for any of the following persons:

(i) The Army, the Navy, the Defense Supplies Corporation, or any agency of



the United States Government for supplies to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The American Red Cross or the United Service Organizations.

(iii) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessel.

(iv) Any person, for retail sale through concession restaurants at army or navy camps or through outlets not operated for private profit and established primarily for the use of army or navy enlisted personnel within army or navy establishments or on army or navy vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and stores.

(v) Any hospital, asylum, orphanage, prison, or other similar institution, which is operated by any United States federal, state, or local governmental agency, and which received tea during 1941 under contracts awarded upon the basis of competitive bids: *Provided*, That no such institution may, during any month, accept delivery of more tea than a percentage of its average monthly use of tea during the corresponding quarter of 1941, such percentage to be the same as the percentage determined for wholesale receivers under paragraph (d) (2) by the Director General for Operations from time to time.

(5) All quotas hereunder shall be calculated quantitatively in terms of pounds.

(6) Any packer who delivers a substantial portion of his quota of tea directly to consumers and/or to retailers may, by letter, submit to the War Production Board a plan to transfer the distribution of all or a part of that portion to wholesale receivers of the class described in paragraph (b) (4) of this order. Such a plan must contemplate a substantial conservation of automotive and related equipment and material, and, further, contain provision for equitable distribution of the transferred volume among such wholesale receivers and an equitable redistribution of that volume within the areas previously served directly by the packer. If such a plan is authorized by the Director General for Operations, the packer may deliver to wholesale receivers of the class described in paragraph (b) (4), and such wholesale receivers may accept without charge to their quotas, the volume of tea authorized for transfer, provided delivery of such tea is accompanied by a dated certification by the packer reading substantially as follows:

Pursuant to authorization issued to the undersigned by the War Production Board, you may accept the tea delivered hereunder without charge to your quota as a wholesale receiver.

Name of packer company-----

By----- Title-----

(e) *Restrictions relating to wholesale receivers inventories.* Except as specifi-

cally authorized by the Director General for Operations, no wholesale receiver shall accept any deliveries of tea which will increase his inventory thereof to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

(e-1) *Restrictions relating to packers' inventories.* (1) Except as permitted by paragraph (e-1) (2) below or as specifically authorized by the Director General for Operations, or for the purpose of filling orders under paragraph (d) (4) above, no packer shall accept any delivery of tea which will increase his inventory to above the amount of his then current acceptance quota under paragraph (d) (1).

(2) If a shipment of tea imported by or specifically for a packer arrives in the United States and, by virtue of paragraph (e-1) (1), such packer is not entitled to accept delivery of any or all of such tea but is unable to make an immediate bona fide sale to some unaffiliated person, who is entitled to accept delivery, of the excess portion of such shipment or an equivalent amount of tea from his existing inventory, such packer may take possession of such excess, pending the actions provided for below:

(i) Within 72 hours after the arrival of such tea in the United States, such packer shall offer, through established tea dealers and/or brokers, such excess, or an equivalent quantity of tea from his existing inventory, for bona fide sale to any unaffiliated person who is entitled to accept delivery;

(ii) At the same time, he shall forward a report, by letter or telegram, of such actions to the War Production Board, stating the steamer, the port of arrival, the excess quantity (by chests and chest weights), whether he intends to sell such tea or an equivalent amount from his existing inventory, a description (type, grade), the location of the tea offered for sale, and the brokers and/or dealers through whom the offer is being made.

(iii) In the event of sale, he shall forward a report, by letter or telegram, on such sale, within 24 hours thereafter, to the War Production Board, stating the name of the purchaser and the date of sale.

(iv) If, before any such offer for sale is accepted, the packer becomes entitled under paragraph (e-1) (1) above to accept delivery of a quantity of tea, the restrictions of paragraph (e-1) (2) may be considered removed as to the quantity he is so entitled to accept, provided he forwards notice thereof, by letter or telegram, to the War Production Board within 24 hours after he becomes entitled to accept delivery.

(f) *Advance deliveries.* Advance deliveries for any quota period may be made or accepted within ten days prior to the beginning of such period.

(g) *Existing contracts.* The fulfillment of existing contracts for the sale of tea is permissible only to the extent that such fulfillment does not violate the quota or inventory restrictions imposed by this order.

(h) *Limitation on size of packages.* (1) No packer shall pack tea for sale at retail in a package or container containing more than one-fourth of one pound of tea.

(2) On and after January 14, 1943, no packer shall pack tea bags or balls except in sizes counting either 200 or 250 to the pound, net tea weight: *Provided, however*, That, until April 1, 1943, any packer may continue to pack such other sizes as may be necessary to utilize any containers, in his inventory on January 7, 1943, which were specially printed for such other sizes.

(i) *Reports.* Every packer and every wholesale receiver and every bulk user participating in any transaction to which this order applies shall execute and file with the War Production Board such reports and questionnaires as such Board may from time to time request.

Within 10 days after the close of each quarterly period, every packer shall report, by letter, to the War Production Board the total quantity of any quota-exempt deliveries of tea made during that quarterly period by him in connection with each class of persons under paragraph (d) (4), as amended. The first such report shall be forwarded by October 10, 1942 for the quarterly period ending September 30, 1942.

(j) *Records.* Every packer and every wholesale receiver participating in any transaction to which this order applies shall keep and preserve, for a period of not less than two years, records which upon examination, will disclose his total monthly inventories of tea and the monthly deliveries made by him (if he is a packer) or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills or other instruments or records customarily employed by him are sufficient to furnish the information herein required, no additional record system need be installed to meet the requirements of this provision.

(k) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Applicability of order.* (1) The provisions of this order shall not apply outside the continental United States (which, for purposes of this order, means the 48 States of the United States and the District of Columbia).

(2) In the case of any person who is both a packer and a wholesale receiver, the provisions hereof applicable to packers shall apply to his operations as a packer, and the provisions hereof applicable to wholesale receivers shall apply to his operations as a wholesale receiver.

(m) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from



processing or using material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(o) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: M-111.

(p) Every importer, every packer, and every wholesale receiver shall immediately set aside, for the requirements of government agencies, his entire inventory of green tea which is not packed in containers of one-fourth of one pound or less or in tea bags or tea balls. Without regard to existing contracts, all tea set aside shall, unless and until released, be held for allocation to any government agency by the Director General for Operations. On or before September 25, 1942, every person required to set aside green tea shall report to the War Production Board, by letter, the types, quantities (by chests and chest weights), and locations of the tea required to be set aside. Unless otherwise ordered, any portion of tea set aside may be deemed released if, on or before January 7, 1943, no government agency designated by the Director General for Operations has contracted for, or given written notice of its intention or desire to contract for, such portion.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-369; Filed, January 7, 1943;  
11:45 a. m.]

#### PART 1134—TEA

[Supplementary Order M-111-e]

§ 1134.6 *Supplementary Order M-111-e.* Pursuant to paragraph (d) of Order M-111, as amended, which this order supplements, the Director General for Operations hereby determines that, for the 3-month period commencing January 1, 1943:

(a) Tea quotas shall be as follows, subject to any increase pursuant to paragraph (b) below:

(1) The acceptance quota for any packer shall be one and one-third times the amount of his delivery quota under subparagraph (a) (2) below.

(2) The delivery quota for any packer shall be 50% of his "net deliveries" (as defined in said Order M-111) of tea dur-

ing the corresponding 3-month period of either 1941 or 1942, whichever is greater.

(3) The acceptance quota for any wholesale receiver shall be 50% of his "net deliveries" (as defined in said Order M-111) of tea during the corresponding 3-month period of either 1941 or 1942, whichever is greater.

(b) Any person who (1) computes a quota under paragraph (a) above on the basis of the specified 1941 base period and not the 1942 base period and (2) directly or indirectly serves any county or other area designated in Schedule D (§ 1407.244) of Ration Order 3 of the Office of Price Administration, as amended, is hereby assigned a supplementary quota for each such area. Such supplementary quota, which shall be available only for ultimate distribution in the particular increased-population area referred to in said Schedule D, shall be computed by (i) determining the amount of his quota under paragraph (a) above, (ii) determining the portion of that amount allocable to deliveries to or for each such area, and (iii) applying to that portion the percentage of population increase designated, in said Schedule D of Ration Order 3, for that area for periods commencing on or after January 1, 1943. All existing similar supplementary quotas previously authorized for increased-population areas by the Director General for Operations or by the Director of Industry Operations (through orders supplementary to said Order M-111, through the granting of appeals under said Order M-111, or otherwise) shall cease to be effective after December 31, 1942, irrespective of whether or not such areas are designated in said Schedule D of Ration Order 3.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-370; Filed, January 7, 1943;  
11:45 a. m.]

#### PART 1053—FATS AND OILS

[General Preference Order M-71, as Amended  
Jan. 7, 1943]

§ 1053.1 *General Preference Order M-71—(a) Definitions.* (1) "Fats and oils" means all the raw, crude, refined and pressed fats and oils, whether vegetable, animal, fish or other marine animal, their by-products and derivatives, including grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, and lard and rendered pork fat, but not including cocoa butter, butter, wool greases, essential oils, tall oil, mineral oils, and vitamin-bearing oils derived from fish or other marine animal livers or viscera.

(2) "Manufacturer" means any person who uses any fats or oils in the manufacture of any finished product, and shall include all other persons directly con-

trolling or controlled by such person and all persons under direct or indirect common control with such person. The term shall not include any crusher, renderer, refiner or other processor except as and to the extent that his operations result in the production of a finished product, and shall also not include any person who uses fats, and oils in the home in the preparation of food for household consumption.

Blending alone shall not constitute a person a manufacturer.

(3) The "inventory" of a manufacturer at any time shall include all fats and oils held or controlled by him and all fats and oils purchased by him for future delivery.

(4) "Finished product" means any product of a manufacturer produced for sale as his finished product and carried on his books as his finished product. Except for the purposes of paragraph (d) hereof, "finished product" shall not include: (i) grease (lard) oil; (ii) sulfonated or similarly processed fat or oil; (iii) fatty acids; (iv) lard or rendered pork fat; (v) any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product (excepting a product falling within paragraph (a) (4) (vi) hereof); (vi) any edible product of which a fat or oil is not the principal ingredient; (vii) any edible product produced by any hotel or restaurant for consumption on the premises; (viii) any medicinal preparation other than medicated soap.

(5) "Crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut or corn or other oil-bearing materials.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, merchant and naval ships, tanks and vehicles) and any parts, assemblies, and material to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Soap" means the product commonly known by that term excluding, however, soap used for non-detergent purposes (including the processing of textiles).

(b) *Restrictions on manufacture.* (1) [Revoked Nov. 24, 1942.]

(2) No manufacturer, except as provided in paragraph (b) (6) hereof, shall in any calendar quarter beginning with the last quarter of 1942, use or consume any fat or oil in any class of use listed in Schedule A annexed hereto in a quantity in excess of the percentage specified in such Schedule A of his average quarterly use or consumption of fats and oils in such class of use during the corresponding quarters of the two years, 1940 and 1941.

(3) If any manufacturer shall not in any quarter use or consume the quantity of fat or oil permitted by paragraph (b) (2) hereof, the unused part of his quota for such quarter shall for the purposes of such paragraph (b) (2) be carried forward and added to his permitted quota



for the succeeding quarters: *Provided, however,* That any unused part of his permitted quota for any prior quarter shall not be carried forward beyond June 30, 1943 and beyond the 30th day of June of each year thereafter.

(4) For the purpose of determining the quantity of raw "foots" which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(5) The restrictions on fats and oils hereby imposed are imposed with respect to fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the same fat or oil used or consumed by him in the base period.

(6) Nothing in paragraph (b) (2) hereof shall restrict:

(i) The use of fats and oils in any period or quarter by any manufacturer whose aggregate use or consumption of fats and oils in such period is less than 6,000 lbs.;

(ii) The use of fats and oils in the manufacture of any edible product delivered or to be delivered to the Army or Navy of the United States, or delivered or to be delivered pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the processing of fats and oils for delivery to another manufacturer for use in the manufacture of any such edible product: *Provided, however,* That this paragraph shall not exempt the use of fats and oils by any person other than the person having the prime contract with the Army or Navy or with the administrator of such Lend-Lease Act, unless the Quartermaster General of the Army or the Chief of the Bureau of Supplies and Accounts of the Navy, or the administrator of the Agricultural Marketing Administration (as the procurement agency for the administrator of such Lend-Lease Act), or the duly authorized representative of any of them, shall have issued to the manufacturer (whether prime contractor or subcontractor) who uses the fat or oil in the manufacture of the edible product contracted for, a certificate setting forth that such product is for direct Army or Navy issue or for delivery pursuant to such Lend-Lease Act and that the manufacture of such product will require a stated quantity of fats or oils, and designating the supplier or suppliers of such fats or oils to be exempted under the terms of this paragraph of this order.

(iii) The use of fats and oils in the manufacture of soap, including soap made from foots derived from domestic vegetable oils or their fatty acids, where such soap is delivered to the Army or Navy of the United States by the manufacturer or is delivered by such manufacturer, as a prime contractor, pursuant to such Lend-Lease Act.

(iv) The use of fats and oils in the manufacture, preparation or finishing of implements of war.

(v) The use of fats and oils in the manufacture of products to be exported by the manufacturer (a) to the Dominion of Canada where such Dominion has granted a license for the import of such

products, or (b) to any other country pursuant to any export license issued by the Board of Economic Warfare.

(7) For the purposes of determining a manufacturer's permissible use or consumption under paragraph (b) (2) hereof, there shall be excluded from the quarter during which use or consumption is hereby limited, any fat or oil used in the manufacture of the products referred to in subdivisions (ii), (iii), (iv) and (v), of paragraph (b) (6) hereof, and there shall be excluded from the base period any fat or oil used by such manufacturer in such base period in the manufacture of any edible product or soap delivered by him to the Army or Navy of the United States or delivered by him, as a prime contractor, pursuant to such Lend-Lease Act, or exported to the Dominion of Canada or to any other country, and there also shall be excluded from such base period any fat or oil used in the manufacture, preparation or finishing of implements of war.

(8) A person who acquires all the manufacturing facilities of another person in a particular class of use shall thereby become entitled to the quota of such other person in such class of use, whether or not he continues to operate such facilities in whole or in part: *Provided, however,* That he shall within 30 days following such acquisition inform the Director General for Operations of the facilities acquired, their location, whether or not operation will be continued in the same or another location, and the amount of quota which he claims to have acquired in each class of use.

(9) Fats and oils processed by a person pursuant to toll agreement shall be chargeable not to the quota of the processor but to the quota of the owner of such fats and oils: *Provided,* That title to the product shall remain in the hands of the owner of the fats and oils and that such owner shall market, invoice and collect for such product through his own organization.

(10) Each manufacturer of soap may in any quarter substitute in whole or in part for the fats and oils (other than foots made from domestic vegetable oils or their fatty acids) which he would be entitled to use under Schedule A in such manufacture, foots made from domestic vegetable oils or their fatty acids, the quantity of such foots or their fatty acids which may be used or consumed to be 150% of the base period use of fats and oils.

(c) *Restrictions on deliveries of linseed oil.* (1) No person engaged in the business of selling linseed oil at wholesale (whether crushed or processed by him or purchased for resale) shall deliver in the aggregate to persons other than manufacturers during any calendar quarter, beginning with the fourth quarter of 1942, more linseed oil (whether raw or processed) than 70% of the average quarterly amount of linseed oil so delivered by him during the corresponding quarters of the two years, 1940 and 1941.

(2) In reducing deliveries pursuant to paragraph (c) (1) hereof, no person shall make discriminatory cuts as between customers, whether new or old.

(3) This order shall not restrict the delivery by any person of linseed oil to the Army or Navy of the United States or pursuant to such Lend-Lease Act, and any amount so delivered by him shall be excluded both from the base period on which his quota is based and from the period or quarter during which future deliveries are hereby limited.

(d) *Restrictions on processing and inventories.* (1) No manufacturer shall hereafter change the condition of any fat or oil in his raw materials inventory, or add any additional materials thereto, except to the extent necessary to store any such fat or oil in his raw materials inventory in a form necessary to prevent deterioration thereof, or except to put such fats or oils into process for the manufacture of his finished products subject to the limitations of paragraph (d) (2). Nothing contained in this paragraph shall be construed to limit the amount of fats and oils which may be held by any manufacturer in his raw materials inventory.

(2) No manufacturer shall hereafter increase the rate at which fats and oils are put into process by him, except to the extent necessary to meet the required deliveries of his finished products within the limitations established by this order and to maintain only a practicable minimum working inventory of such finished products. The term "practicable minimum working inventory" is to be strictly construed. The mere fact that the turn-over has increased, or that materials are difficult to obtain, does not justify maintaining inventories above the minimum at which his operations can be continued.

(e) *Prohibited uses of fats and oils.*

(1) No person shall use or consume any butter or any of the following fats and oils in any class of use listed in Schedule A other than the manufacture of margarine or the manufacture of other edible finished products:

Lard.	Sesame.
Rendered pork fat.	Raisin seed.
Oleo oil.	Tomato seed.
Oleo stearin.	Cottonseed.
Oleo stock.	Corn.
Edible tallow.	Soybean.
Edible olive.	Whale oil (excluding sperm).
Peanut.	Seal oil.
Sunflower.	

(2) No person shall use or consume in the manufacture of soap any sardine oil, pilchard oil, herring oil or mustard seed oil.

(3) Nothing in paragraphs (e) (1) or (e) (2) hereof shall restrict the use of any fat or oil in any inedible product or soap where and to the extent that:

(i) The quantity of any such fat or oil owned by such person on December 31, 1942 is less than 60,000 lbs.;

(ii) Any such fat or oil is used in the manufacture, preparation or finishing of



any implement of war or in the manufacture of USP 12 soap;

(iii) Any such fat or oil is a by-product or residue of the permitted processing of any fat or oil; or consists of tank bottoms of any fat or oil; or

(iv) Such fat or oil consists of soybean oil and is used either in the manufacture of synthetic resins or as a plasticizer in the manufacture of lacquers and coated fabrics, exclusive of linoleum and oilcloth.

(v) The use by any person of any such fat or oil in any class of use has been specifically authorized by the Director General for Operations, on such person's establishing to the satisfaction of the Director General for Operations by letter addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-71, that such fat or oil was owned by him on December 31, 1942, and was on such date unfit for edible use.

(f) *Reports.* (1) Each manufacturer, who in any quarter commencing with the last quarter of the year 1942, uses or consumes more than 6,000 lbs. of fats and oils in the aggregate, shall file with the Bureau of Census, Washington, D. C., each of the following reports in the following manner:

(i) He shall file on or before the 15th day of each month of the succeeding quarter, Form BM 1 showing the consumption of fats and oils during the preceding month.

(ii) He shall file on or before the 15th day of the first month of the succeeding quarter, Form BM 2 showing the consumption of fats and oils during the preceding quarter.

(2) Every manufacturer and every other person affected by this order shall file such other reports at such times upon such form or forms as the Director General for Operations may from time to time prescribe.

(g) *Effect of other orders.* Insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition or disposition of any fat or oil, the limitations of such other order shall control.

(h) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, whether because of the absence of use during the two-year base period, or otherwise, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of fats or oils conserved,

or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the Director General for Operations by addressing a letter to this War Production Board, Chemicals Division, Washington, D. C., Ref: M-71, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Violations.* Any person who willfully violates any provisions of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-71.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,

Director General for Operations.

#### SCHEDULE A

NOTE: Schedule A was amended January 1, 1943.

Class of use	Permitted percentage
Manufacture of margarine.....	180
Manufacture of other edible finished products, including shortening, mayonnaise and salad dressing.....	88
Manufacture of soap, exclusive of soap made from domestic vegetable oil foots or their fatty acids.....	84
Manufacture of soap from foots made from domestic vegetable oils or their fatty acids.....	150
Manufacture of paints, varnishes, lacquers and all other protective coatings.....	70
Manufacture of linoleum, oilcloth, and oil or oleo-resinous coated fabrics and pyroxylin coated fabrics.....	70
Manufacture of printing inks, including lithographing, offset, silk screen and other processing inks.....	90

#### INTERPRETATION 1

The term "principal ingredient" used in paragraph (a) (4) (vi) of the order means the largest single ingredient by weight, subject to the qualification that shortening, mayonnaise and salad dressing (edible products specifically listed in Schedule A annexed to said order) are to be considered products of which a fat or oil is the principal ingredient regardless of the fat or oil composition thereof in the particular case.

[F. R. Doc. 43-367; Filed, January 7, 1943; 11:46 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2]

#### INVENTORIES

§ 3175.2 *CMP Regulation 2*—(a) *Definitions.* For the purposes of this regulation:

(1) "Item of controlled material" means any item in any class of controlled material listed in the attached Schedule A which is different from all other items in that class by reason of one or more of its specifications, such as length, width, thickness, temper, alloy, finish, method of manufacture, etc.

(2) "User of controlled material" means any person, including government operated consuming establishments, who uses any item of controlled material for production, construction, operating supplies, or maintenance or repair.

(b) *General maximum inventory limitation.* (1) No user of controlled material shall, after April 1, 1943, accept delivery of any item of controlled material if his inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into use during the succeeding 60-day period for production, construction, operating supplies, or maintenance or repair, in order to carry out his authorized operations.

(2) The Director General for Operations may, by specific inventory direction, fix longer or shorter periods or otherwise vary the inventory limits under subparagraph (1) of this paragraph (b), for any specified person or class of persons. Any such action will be governed by the principle that inventories of materials are to be kept at the minimum consistent with sound production practice.

(3) Nothing in this regulation shall be deemed to permit any person to accept delivery of any item of controlled material if his inventory of such item is, or will by virtue of such acceptance become, in excess of a minimum practicable working inventory thereof.

(c) *Exceptions to paragraph (b).* Notwithstanding the provisions of paragraph (b), any person may accept delivery of material in excess of the prescribed limits under the following circumstances.

(1) If any producer of controlled material exercises his privilege under CMP Regulation No. 1 of making delivery prior to the delivery date specified by the user of controlled material, such delivery may be accepted and the prescribed limits exceeded to the extent that such excess results from such prior delivery.

(2) If a user of controlled material has promptly instructed a producer or other supplier to reduce, postpone, or cancel a delivery, and the material has been shipped or loaded for shipment before receipt of such instruction, delivery of such material may be accepted and the prescribed limits exceeded to the extent that such excess results from such delivery. *Provided,* The producer or supplier promptly advises such user why the delivery has been made despite the receipt



of reduction, postponement, or cancellation instructions.

(3) If a user of controlled material would be authorized under paragraph (b) to accept delivery of a quantity of an item of controlled material less than the minimum shown opposite the appropriate class of controlled material on the attached Schedule A, he may accept delivery of the full minimum shown on Schedule A.

(4) If a user of controlled material has promptly instructed a producer to reduce or postpone a delivery of a special item which cannot be readily disposed of in the course of the producer's business, and the producer advises such user that he has already started production thereof, specifying the minimum quantity which he will have to complete in the light of the production he has started, such user may accept delivery of such minimum quantity and exceed the prescribed limits to the extent that such excess results from such delivery. This exception applies only to the acceptance of delivery of such special items before they are needed and not to acceptance of such special items which will not be needed at all.

(d) *Scheduling of deliveries.* Every user of controlled material must apply for allotments, schedule deliveries, and place orders in such manner that deliveries may be made without violating the provisions of this regulation. If by reason of change in authorized operations, slowing or stoppage of production, delayed delivery by a producer or other supplier, or other cause, a person who has ordered material for future delivery would, if he accepted delivery on the dates specified, exceed the limits prescribed by this regulation, he shall promptly revise and adjust his applications, outstanding orders and scheduled deliveries and, if necessary, postpone or cancel the same, directly or through his claimant agencies, so that deliveries will conform to this regulation.

(e) *Separate inventories.* (1) In determining his inventory, a person shall include all controlled material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) A person who has more than one operating unit may divide his operations and apply this regulation to each division independently, but he may not thereafter change such divisions without specific authorization of the Director General for Operations. Any person who has been operating under the Production Requirements Plan shall continue to divide his operations in the same manner as under that plan to the extent that such division is consistent with this paragraph.

(f) *Geographical application.* This regulation shall not apply to persons outside the forty-eight states and the District of Columbia except pursuant to specific direction of the Director General for Operations.

(g) *Prohibited deliveries.* No person shall deliver any item of controlled material if he knows or has reason to believe that acceptance of such delivery would be in violation of this regulation.

(h) *Redistribution of excess inventories.* Excess inventories of controlled materials, including inventories of materials which are not in such form as to be usable by the holder, shall be subject to redistribution to other persons by voluntary action, pursuant to Priorities Regulation No. 13, or if necessary, through requisitioning by the War Production Board.

(i) *Reports.* Users of controlled materials, including government operated consuming establishments, shall file such reports on Form CMP-7 or other designated forms, as may be required from time to time by the Director General for Operations.

(j) *Appeals.* Any person affected by this regulation who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, Redistribution Division, Reference: CMP Regulation No. 2, setting forth

the pertinent facts and the reasons he considers he is entitled to relief.

(k) *Miscellaneous provisions.*—(1) *Applicability of other orders and regulations.* All persons affected by this regulation shall remain subject to all applicable provisions of other War Production Board regulations and orders as amended from time to time.

(2) *Communications.* All communications concerning this regulation shall be addressed to: War Production Board, Redistribution Division, Washington, D. C., Reference: CMP Regulation No. 2.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

#### SCHEDULE A

If a user of controlled materials would be authorized under paragraph (b) to accept delivery of a quantity of an item of controlled material less than the minimum shown opposite the appropriate class of controlled material on the following schedule, he may accept delivery of the full minimum shown on the schedule.

CMP material code No.	Class of controlled material	Minimum quantities	CMP material code No.	Class of controlled material	Minimum quantities
	ALUMINUM	Lb.		COPPER AND COPPER BASE ALLOYS	Lb.
	Bar and rod (excluding requirements for stock for wire, forgings, rolled structural shapes, and electrical cable).....	500		Brass mill products:	
	(Maximum diameter for rounds and ovals).....		3001	(A) Copper base alloys:	
4021	3/8"-3/4" incl. ....			Ammunition cups, discs, and slugs.....	5,000
4031	Over 3/4"-1 1/2" incl. ....		3011	Sheet and strip (other than cups and discs).....	500
4041	Over 1 1/2"-3" incl. ....		3021	Rods, bars, and wire (incl. extruded shapes, not incl. slugs).....	500
4051	Over 3".....		3041	Tubing or pipe.....	500
	(Maximum distance between parallel faces (for squares, hexagonals, octagonals & rectangles).....		3051	(B) Copper:	
4121	Wire, excluding rivet wire. (Wire covers maximum diameters under 3/8" in rounds, ovals, squares, hexes, octagonals, and rectangles).....	100	3061	Plate, sheets, and strip.....	500
	Rivets.....	25		Rods, and bars, including extruded shapes (not including wire bars and ingot bars).....	500
4122	Cable (electrical transmission only).....	2,000	3071	Tube and pipe.....	500
4151	Forgings and pressings (before machining).....	500		Wire mill products:	
4171	Castings made from high-grade ingot (before machining).....	500	3101	Copper:	
4202	Cylinder heads for air-cooled radial engines.....			Wire and cable (incl. copper content of insulated wire and cable).....	500
4203	Other heat treated sand castings.....			Foundry products:	
4204	Non-heat treated sand castings.....		3201	Copper and copper base alloys:	
4205	Heat treated permanent mold castings.....			Castings.....	500
4206	Non-heat treated permanent mold castings.....			STEEL	
4207	Cold-chamber die castings.....			Carbon steel (including wrought iron):	
4208	Gooseneck die castings.....		2001	Bars, cold finished.....	10,000
	Castings made from low-grade ingot (before machining).....	500	2005	Bars, hot rolled.....	10,000
4213	Heat treated sand castings.....		2011	Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bars.....	50,000
4214	Non-heat treated sand castings.....		2016	Pipe.....	10,000
4215	Heat treated permanent mold castings.....		2021	Plates.....	10,000
4216	Non-heat treated permanent mold castings.....		2026	Rails and track accessories.....	50,000
4217	Cold-chamber die castings.....		2031	Sheets and strip.....	10,000
4218	Gooseneck die castings.....		2036	Steel castings.....	10,000
4251	Rolled structural shapes (angles, channels, zees, tees, etc.).....	500	2041	Structural shapes and piling.....	40,000
	Extruded shapes.....	100	2046	Tin plate, terne plate and tin mill black plate.....	10,000
4301	28, 38, 53S, and 61S alloys.....		2051	Tubing.....	10,000
4311	All alloys except 28, 38, 53S, and 61S.....		2056	Wheels and axles.....	40,000
	Sheet, strip and plate (excluding stock for foil, impact extrusions, and forgings).....	200	2061	Wire rods, wire and wire products.....	10,000
4351	28, and 38 alloys.....			Alloy steel—Including stainless:	
4361	Alloys other than 28 and 38.....		2501	Bars, cold finished.....	2,000
	Tubing.....	100	2505	Bars, hot rolled.....	2,000
4401	28 and 38 alloys.....		2511	Ingots, billets, blooms, slabs, tube rounds, sheet bar.....	10,000
4411	Alloys other than 28 and 38.....		2516	Pipe.....	2,000
4501	Powder.....	15	2521	Plates.....	2,000
4601	Foil (0.003" and thinner).....	25	2531	Sheets and strip.....	2,000
4701	Impact extrusions.....	200	2536	Steel castings.....	2,000
	Ingot (excluding ingot for aluminum castings, sheet, plate, strip, rod, bar, extrusions, and powder).....	2,000	2551	Tubing (incl. pipe).....	2,000
4801	High-grade ingot.....		2556	Wheels and axles.....	40,000
4811	Low-grade ingot.....		2561	Wire rods, wire, and wire products.....	2,000

[F. R. Doc. 43-371; Filed, January 7, 1943; 11:48 a. m.]



## Chapter XI—Office of Price Administration

## PART 1306—IRON AND STEEL

[RPS 49, Amendment 10]

## RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

A new section and Appendix designated as § 1306.163 Appendix E is added to Revised Price Schedule No. 49 and a

new paragraph (d) is added to § 1306.160 Appendix B.

## § 1306.160 Appendix B. \* \* \*

(d) The provisions of this § 1306.160 Appendix B are modified in part by the provisions of § 1306.163 Appendix E.

## § 1306.163 Appendix E. Base prices

and quantity extras are established on certain product items in the cities set forth:

(a) Seller's maximum base prices on sales out of warehouse stock in less-than-carload quantities are published on the named product items as follows:

## BASE PRICES UNDER REVISED PRICE SCHEDULE NO. 49

	Hot rolled bars	Structural shapes	Plates	Floor plates	Hot rolled sheets (10 gauge base)	Hot rolled bands (12 gauge and heavier)	Hot rolled hoops (14 gauge and lighter)	Galvanized flat sheets (24 gauge base)	Cold rolled sheets (17 gauge base)	Cold finished bars
Boston.....	3.98 <sup>1</sup>	3.85 <sup>1</sup>	3.85 <sup>1</sup>	5.66 <sup>1</sup>	3.71 <sup>1</sup>	4.06 <sup>1</sup>	5.06 <sup>1</sup>	5.11 <sup>1</sup>	4.68 <sup>1</sup>	4.13 <sup>1</sup>
New York.....	3.84 <sup>1</sup>	3.75 <sup>1</sup>	3.75 <sup>1</sup>	5.56 <sup>1</sup>	3.58 <sup>1</sup>	3.96 <sup>1</sup>	5.00 <sup>1</sup>	4.60 <sup>1</sup>	4.09 <sup>1</sup>	4.09 <sup>1</sup>
Philadelphia.....	3.85 <sup>1</sup>	3.55 <sup>1</sup>	3.55 <sup>1</sup>	5.25 <sup>1</sup>	3.55 <sup>1</sup>	3.95 <sup>1</sup>	4.45 <sup>1</sup>	4.90 <sup>1</sup>	4.63 <sup>1</sup>	4.06 <sup>1</sup>
Baltimore (city).....	3.85 <sup>1</sup>	3.70 <sup>1</sup>	3.70 <sup>1</sup>	5.25 <sup>1</sup>	3.50 <sup>1</sup>	4.00 <sup>1</sup>	4.35 <sup>1</sup>	5.05 <sup>1</sup>	5.00 <sup>1</sup>	4.04 <sup>1</sup>
Baltimore (country).....	3.85 <sup>1</sup>	3.70 <sup>1</sup>	3.70 <sup>1</sup>	5.25 <sup>1</sup>	3.25 <sup>1</sup>	4.00 <sup>1</sup>	4.35 <sup>1</sup>	4.75 <sup>1</sup>	5.00 <sup>1</sup>	4.04 <sup>1</sup>
Washington, D. C.....	3.95 <sup>1</sup>	3.80 <sup>1</sup>	3.80 <sup>1</sup>	5.35 <sup>1</sup>	3.60 <sup>1</sup>	4.10 <sup>1</sup>	4.45 <sup>1</sup>	5.15 <sup>1</sup>	5.10 <sup>1</sup>	4.03 <sup>1</sup>
Norfolk, Virginia.....	4.00 <sup>1</sup>	4.05 <sup>1</sup>	4.05 <sup>1</sup>	5.45 <sup>1</sup>	3.85 <sup>1</sup>	4.10 <sup>1</sup>	4.10 <sup>1</sup>	5.40 <sup>1</sup>	4.50 <sup>1</sup>	4.15 <sup>1</sup>
Bethlehem, Pa.....		3.45 <sup>1</sup>								
Claymont, Del.....		3.45 <sup>1</sup>								
Coatesville, Pa.....		3.45 <sup>1</sup>								
Buffalo (city).....	3.35 <sup>1</sup>	3.40 <sup>1</sup>	3.62 <sup>1</sup>	5.25 <sup>1</sup>	3.25 <sup>1</sup>	3.82 <sup>1</sup>	3.82 <sup>1</sup>	4.75 <sup>1</sup>	4.30 <sup>1</sup>	3.75 <sup>1</sup>
Buffalo (country).....	3.25 <sup>1</sup>	3.30 <sup>1</sup>	3.62 <sup>1</sup>	5.25 <sup>1</sup>	3.15 <sup>1</sup>	3.82 <sup>1</sup>	3.82 <sup>1</sup>	4.65 <sup>1</sup>	4.20 <sup>1</sup>	3.65 <sup>1</sup>
Pittsburgh (city).....	3.35 <sup>1</sup>	3.40 <sup>1</sup>	3.60 <sup>1</sup>	5.00 <sup>1</sup>	3.35 <sup>1</sup>	3.60 <sup>1</sup>	3.60 <sup>1</sup>	4.75 <sup>1</sup>	4.00 <sup>1</sup>	3.65 <sup>1</sup>
Pittsburgh (country).....	3.25 <sup>1</sup>	3.30 <sup>1</sup>	3.30 <sup>1</sup>	4.90 <sup>1</sup>	3.25 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	4.65 <sup>1</sup>	4.00 <sup>1</sup>	3.65 <sup>1</sup>
Cleveland (city).....	3.25 <sup>1</sup>	3.38 <sup>1</sup>	3.40 <sup>1</sup>	5.18 <sup>1</sup>	3.35 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	4.62 <sup>1</sup>	4.05 <sup>1</sup>	3.75 <sup>1</sup>
Cleveland (country).....	3.25 <sup>1</sup>	3.38 <sup>1</sup>	3.30 <sup>1</sup>	5.18 <sup>1</sup>	3.25 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	4.62 <sup>1</sup>	3.95 <sup>1</sup>	3.65 <sup>1</sup>
Detroit.....	3.43 <sup>1</sup>	3.65 <sup>1</sup>	3.60 <sup>1</sup>	5.27 <sup>1</sup>	3.43 <sup>1</sup>	3.43 <sup>1</sup>	3.68 <sup>1</sup>	4.84 <sup>1</sup>	4.30 <sup>1</sup>	3.80 <sup>1</sup>
Omaha (city).....	4.10 <sup>1</sup>	4.15 <sup>1</sup>	4.15 <sup>1</sup>	5.75 <sup>1</sup>	3.85 <sup>1</sup>	4.20 <sup>1</sup>	4.20 <sup>1</sup>	5.52 <sup>1</sup>	4.77 <sup>1</sup>	4.42 <sup>1</sup>
Omaha (country).....	4.00 <sup>1</sup>	4.05 <sup>1</sup>	4.05 <sup>1</sup>	5.65 <sup>1</sup>	3.75 <sup>1</sup>	4.10 <sup>1</sup>	4.10 <sup>1</sup>	5.52 <sup>1</sup>	4.77 <sup>1</sup>	4.42 <sup>1</sup>
Cincinnati.....	3.60 <sup>1</sup>	3.68 <sup>1</sup>	3.65 <sup>1</sup>	5.28 <sup>1</sup>	3.42 <sup>1</sup>	3.67 <sup>1</sup>	3.67 <sup>1</sup>	4.92 <sup>1</sup>	4.37 <sup>1</sup>	4.00 <sup>1</sup>
Youngstown, Ohio.....					3.25 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	4.40 <sup>1</sup>		
Middletown, Ohio.....					3.25 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	4.40 <sup>1</sup>		
Chicago (city).....	3.50 <sup>1</sup>	3.55 <sup>1</sup>	3.55 <sup>1</sup>	5.15 <sup>1</sup>	3.25 <sup>1</sup>	3.60 <sup>1</sup>	3.60 <sup>1</sup>	4.85 <sup>1</sup>	4.10 <sup>1</sup>	3.75 <sup>1</sup>
Chicago (country).....	3.40 <sup>1</sup>	3.45 <sup>1</sup>	3.45 <sup>1</sup>	5.05 <sup>1</sup>	3.15 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	4.75 <sup>1</sup>	4.00 <sup>1</sup>	3.65 <sup>1</sup>
Milwaukee.....	3.63 <sup>1</sup>	3.68 <sup>1</sup>	3.68 <sup>1</sup>	5.28 <sup>1</sup>	3.38 <sup>1</sup>	3.73 <sup>1</sup>	3.73 <sup>1</sup>	4.98 <sup>1</sup>	4.23 <sup>1</sup>	3.88 <sup>1</sup>
St. Paul.....	3.75 <sup>1</sup>	3.80 <sup>1</sup>	3.80 <sup>1</sup>	5.40 <sup>1</sup>	3.50 <sup>1</sup>	3.85 <sup>1</sup>	3.85 <sup>1</sup>	5.00 <sup>1</sup>	4.35 <sup>1</sup>	4.34 <sup>1</sup>
St. Louis.....	3.64 <sup>1</sup>	3.69 <sup>1</sup>	3.69 <sup>1</sup>	5.20 <sup>1</sup>	3.39 <sup>1</sup>	3.74 <sup>1</sup>	3.74 <sup>1</sup>	4.99 <sup>1</sup>	4.24 <sup>1</sup>	4.02 <sup>1</sup>
Indianapolis (city).....	3.60 <sup>1</sup>	3.70 <sup>1</sup>	3.70 <sup>1</sup>	5.30 <sup>1</sup>	3.45 <sup>1</sup>	3.75 <sup>1</sup>	3.75 <sup>1</sup>	5.01 <sup>1</sup>	4.25 <sup>1</sup>	3.97 <sup>1</sup>
Indianapolis (country).....	3.35 <sup>1</sup>	3.45 <sup>1</sup>	3.40 <sup>1</sup>	5.05 <sup>1</sup>	3.20 <sup>1</sup>	3.50 <sup>1</sup>	3.50 <sup>1</sup>	5.01 <sup>1</sup>	4.00 <sup>1</sup>	3.97 <sup>1</sup>
Memphis.....	3.90 <sup>1</sup>	3.95 <sup>1</sup>	3.95 <sup>1</sup>	5.71 <sup>1</sup>	3.85 <sup>1</sup>	4.10 <sup>1</sup>	4.10 <sup>1</sup>	5.25 <sup>1</sup>	4.66 <sup>1</sup>	4.31 <sup>1</sup>
Birmingham (city).....	3.50 <sup>1</sup>	3.55 <sup>1</sup>	3.55 <sup>1</sup>	5.83 <sup>1</sup>	3.45 <sup>1</sup>	3.70 <sup>1</sup>	3.70 <sup>1</sup>	4.75 <sup>1</sup>	4.78 <sup>1</sup>	4.43 <sup>1</sup>
Birmingham (country).....	3.40 <sup>1</sup>	3.45 <sup>1</sup>	3.45 <sup>1</sup>	5.83 <sup>1</sup>	3.35 <sup>1</sup>	3.60 <sup>1</sup>	3.60 <sup>1</sup>	4.75 <sup>1</sup>	4.78 <sup>1</sup>	4.43 <sup>1</sup>
New Orleans (city).....	4.10 <sup>1</sup>	3.90 <sup>1</sup>	3.90 <sup>1</sup>	5.85 <sup>1</sup>	3.95 <sup>1</sup>	4.20 <sup>1</sup>	4.20 <sup>1</sup>	5.25 <sup>1</sup>	4.95 <sup>1</sup>	4.60 <sup>1</sup>
New Orleans (country).....	4.00 <sup>1</sup>	3.80 <sup>1</sup>	3.80 <sup>1</sup>	5.75 <sup>1</sup>	3.85 <sup>1</sup>	4.10 <sup>1</sup>	4.10 <sup>1</sup>	5.15 <sup>1</sup>	4.95 <sup>1</sup>	4.60 <sup>1</sup>
Houston.....	3.75 <sup>1</sup>	4.25 <sup>1</sup>	4.25 <sup>1</sup>	5.50 <sup>1</sup>	3.75 <sup>1</sup>	4.30 <sup>1</sup>	4.30 <sup>1</sup>	5.25 <sup>1</sup>	5.43 <sup>1</sup>	4.50 <sup>1</sup>
Los Angeles.....	4.35 <sup>1</sup>	4.60 <sup>1</sup>	4.60 <sup>1</sup>	7.15 <sup>1</sup>	4.95 <sup>1</sup>	4.95 <sup>1</sup>	6.70 <sup>1</sup>	5.95 <sup>1</sup>	7.15 <sup>1</sup>	5.70 <sup>1</sup>
San Francisco (city).....	3.95 <sup>1</sup>	4.35 <sup>1</sup>	4.65 <sup>1</sup>	6.35 <sup>1</sup>	4.55 <sup>1</sup>	4.50 <sup>1</sup>	4.50 <sup>1</sup>	6.60 <sup>1</sup>	7.55 <sup>1</sup>	5.55 <sup>1</sup>
San Francisco (country).....	3.85 <sup>1</sup>	4.25 <sup>1</sup>	4.55 <sup>1</sup>	6.25 <sup>1</sup>	4.45 <sup>1</sup>	4.40 <sup>1</sup>	4.40 <sup>1</sup>	6.50 <sup>1</sup>	7.45 <sup>1</sup>	5.45 <sup>1</sup>
Tacoma.....	4.20 <sup>1</sup>	4.45 <sup>1</sup>	4.75 <sup>1</sup>	6.50 <sup>1</sup>	4.65 <sup>1</sup>	4.25 <sup>1</sup>	5.45 <sup>1</sup>	6.70 <sup>1</sup>	6.63 <sup>1</sup>	5.75 <sup>1</sup>
Seattle (city).....	4.20 <sup>1</sup>	4.45 <sup>1</sup>	4.75 <sup>1</sup>	6.50 <sup>1</sup>	4.65 <sup>1</sup>	4.25 <sup>1</sup>	5.45 <sup>1</sup>	6.70 <sup>1</sup>	6.63 <sup>1</sup>	5.75 <sup>1</sup>

\*Basing point cities against which warehouses equalized freight as of April 10, 1941, and which must now be used in calculating lowest combination prices.

(b) The maximum quantity extras and deductions on these specific product items listed above shall be:

Quantity Differentials Per 100 Pounds		
1—	Under 100 lbs.....	+\$1.50
	100-399 lbs.....	+.50
	400-1,999 lbs.....	Base
	2,000-9,999 lbs.....	-.10
	10,000-39,999 lbs.....	-.20
2—	Under 100 lbs.....	+\$1.25
	100-399 lbs.....	+.50
	400-1,999 lbs.....	Base
	2,000-9,999 lbs.....	-.10
	10,000-39,999 lbs.....	-.20
3—	Under 100 lbs.....	+\$1.50
	100-399 lbs.....	+.50
	400-14,999 lbs.....	Base
	15,000-39,999 lbs.....	-.20

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>7 F.R. 1300, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8948, 10844.

## Quantity Differentials Per 100 Pounds—Con.

10—	Under 2,000 lbs.....	Base
	2,000-3,999 lbs.....	-.25
	4,000-5,999 lbs.....	-.35
	6,000-14,999 lbs.....	-.50
	15,000-39,999 lbs.....	-.60
11—	Under 4,000 lbs.....	Base
	4,000-5,999 lbs.....	-.05
	6,000-14,999 lbs.....	-.20
	15,000-39,999 lbs.....	-.40
12—	Under 150 lbs.....	+\$1.00
	150-499 lbs.....	+.50
	500-1,499 lbs.....	Base
	1,500-3,499 lbs.....	-.25
	3,500-39,999 lbs.....	-.40
13—	Under 1 bundle.....	+.50
	1 bundle to 39,999 lbs.....	Base
14—	Under 150 lbs.....	+\$1.00
	150-2,249 lbs.....	Base
	2,250-39,999 lbs.....	-.25
15—	Under 1 bundle.....	+\$1.00
	1 bundle-499 lbs.....	+.50
	500-1,499 lbs.....	Base
	1,500-3,499 lbs.....	-.25
16—	Under 150 lbs.....	+.50
	150-1,499 lbs.....	Base
	1,500-3,499 lbs.....	-.20
	3,500-6,999 lbs.....	-.30
	7,000-39,999 lbs.....	-.45
17—	Under 150 lbs.....	+.50
	150-1,499 lbs.....	Base
	1,500-3,499 lbs.....	-.20
	3,500-39,999 lbs.....	-.30
18—	Under 1 bundle.....	+\$3.00
	1 bundle.....	+.00
	2 bundles.....	+.50
	3-24 bundles.....	Base
	25-49 bundles.....	-.10
	50 bundles-39,999 lbs.....	-.20
19—	Under 1 bundle.....	+\$1.00
	1 bundle-449 lbs.....	+.30
	450-1,499 lbs.....	Base
	1,500-39,999 lbs.....	-.15
20—	Under 1 bundle.....	+\$1.00
	1 bundle-1,499 lbs.....	Base
	1,500-3,749 lbs.....	-.15
	3,750-39,999 lbs.....	-.25
21—	1-9 bundles.....	Base
	10-49 bundles.....	-.25
	50 bundles to 39,999 lbs.....	-.50
22—	Under 1 bundle.....	+.25
	1-6 bundles.....	Base
	7 bundles-39,999 lbs.....	-.25
23—	Under 100 lbs.....	+\$1.20
	100-499 lbs.....	+.20
	500-1,499 lbs.....	Base
	1,500-3,499 lbs.....	-.20
	3,500-6,999 lbs.....	-.45
	7,000-39,999 lbs.....	-.55
24—	Under 100 lbs.....	+\$1.00
	100-749 lbs.....	Base
	750-4,999 lbs.....	-.50
	5,000-39,999 lbs.....	-.75
25—	Under 100 lbs.....	+\$1.00
	1-9 bundles.....	Base
	10-49 bundles.....	-.25
	50-99 bundles.....	-.50
	100 bundles-39,999 lbs.....	-.75
26—	Under 100 lbs.....	+\$1.00
	1-9 bundles.....	Base
	10-49 bundles.....	-.25
	50 bundles-39,999 lbs.....	-.50

<sup>1</sup>\$1.00 if lighter than 24 gauge.



## Quantity Differentials Per 100 Pounds—Con.

27—		
Under 150 lbs.	.....	+\$1.00
150-1,499 lbs.	.....	Base
1,500-3,499 lbs.	.....	-.15
3,500-39,999 lbs.	.....	-.25
28—		
Under 300 lbs.	.....	+\$0.50
300-999 lbs.	.....	Base
1,000 lbs. and over	.....	-.50
29—		
Under 300 lbs.	.....	+\$2.00
300-499 lbs.	.....	+1.25
500-999 lbs.	.....	+.50
1,000-1,499 lbs.	.....	+1.10
1,500-39,999 lbs.	.....	Base
30—		
Under 100 lbs.	.....	+.90
100-499 lbs.	.....	+.65
500-999 lbs.	.....	+.40
1,000-1,499 lbs.	.....	+.30
1,500-1999 lbs.	.....	Base
2,000-3999 lbs.	.....	-.20
4,000-5,999 lbs.	.....	-.40
6,000-9,999 lbs.	.....	-.50
10,000-39,999 lbs.	.....	-.60
31—		
Under 100 lbs.	.....	+\$1.25
100-299 lbs.	.....	+1.00
300-499 lbs.	.....	+.75
500-999 lbs.	.....	+.25
1,000-39,999 lbs.	.....	Base
32—		
Under 300 lbs.	.....	+\$1.50
300-499 lbs.	.....	+1.25
500-999 lbs.	.....	+.50
1,000-1,499 lbs.	.....	+.10
1,500-39,999 lbs.	.....	Base
33—		
Under 300 lbs.	.....	+\$1.25
300-499 lbs.	.....	+.75
500-999 lbs.	.....	+.25
1,000-39,999 lbs.	.....	Base
34—		
Under 300 lbs.	.....	+\$1.90
300-499 lbs.	.....	+1.65
500-999 lbs.	.....	+.90
1,000-1,499 lbs.	.....	+.40
1,500-1,999 lbs.	.....	Base
2,000-3,999 lbs.	.....	-.20
4,000-5,999 lbs.	.....	-.40
6,000-9,999 lbs.	.....	-.50
10,000-39,999 lbs.	.....	-.60
35—		
Under 400 lbs.	.....	+\$1.50
400-1,499 lbs.	.....	Base
1,500-3,499 lbs.	.....	-.10
3,500-9,999 lbs.	.....	-.15
10,000-39,999 lbs.	.....	-.25

\* An order extra of \$3.00 per 100 pounds may be charged on cold finished carbon bar orders which total less than 300 pounds in Pittsburgh, Pennsylvania, Boston, Massachusetts, and Buffalo, New York; of \$4.00 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Philadelphia, Pennsylvania; of \$3.00 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in New York, New York, Norfolk, Virginia, and Washington, D. C.; or of \$3.25 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Baltimore, Maryland. If the order extra is applicable and charged, the item quantity extra for less than 300 pounds in (29) above may not also be charged.

\* An order extra of \$3.00 per 100 pounds may be charged on cold finished carbon bar orders which total less than 300 pounds in Birmingham, Alabama, Milwaukee, Wisconsin, New Orleans, Louisiana, St. Louis, Missouri, St. Paul, Minnesota, Omaha, Nebraska, Chicago, Illinois, Cincinnati, Ohio, and Memphis, Tennessee; or of \$4.50 per 100 pounds on cold finished carbon bar orders which

## Quantity Differentials Per 100 Pounds—Con.

36—		
Under 400 lbs.	.....	+\$1.50
400-1,499 lbs.	.....	Base
1,500-9,999 lbs.	.....	-.10
10,000-39,999 lbs.	.....	-.20
37—		
Under 1 bundle	.....	+\$3.00
1 bundle	.....	+1.00
2 bundles	.....	+.50
3-24 bundles	.....	Base
25-49 bundles	.....	-.10
50 bundles-39,999 lbs.	.....	-.15
38—		
Under 500 lbs.	.....	+\$1.50
500-1,499 lbs.	.....	Base
1,500-3,499 lbs.	.....	-.10
3,500-9,999 lbs.	.....	-.15
10,000-39,999 lbs.	.....	-.20
39—		
Under 1,000 lbs.	.....	+\$1.10
1,000-1,999 lbs.	.....	Base
2,000-4,999 lbs.	.....	-.15
5,000-39,999 lbs.	.....	-.30
40—		
Under 300 lbs.	.....	+\$1.50
300-1,999 lbs.	.....	Base
2,000-4,999 lbs.	.....	-.20
5,000-9,999 lbs.	.....	-.40
10,000-39,999 lbs.	.....	-.60
41—		
Under 25 bundles	.....	Base
25 bundles-39,999 lbs.	.....	-.25

total less than 100 pounds in Indianapolis, Indiana. If the order extra is applicable and charged, the item extra for less than 300 pounds in (32) above may not also be charged.

(c) The foregoing prices are base prices and quantity extras to which may be added all other extras permitted under Revised Price Schedule No. 49, provided also that where the sellers named in § 1306.160 Appendix B of Revised Price Schedule No. 49 published prices which reflected in the base price an extra for size, grade or section, (such as the difference in base prices between standard cold rolled sheets and deep drawing cold rolled sheets) such difference in base prices shall be considered an extra which may be added by sellers under the provisions of § 1306.159 Appendix A (a) (2) of Revised Price Schedule No. 49.

(d) The prices and extras set forth above shall be used as a basis for the computation of "Lowest Combination" Prices, (as defined in § 1306.157 (k)).

(e) No seller shall use the foregoing prices or extras if the use thereof would result in a sale at a price higher than such seller's published price as of April 16, 1941.

(f) In all respects other than those specifically set forth in this Appendix E the provisions of Revised Price Schedule No. 49 shall apply.

§ 1306.158a Effective dates of amendments. \* \* \*

(j) Amendment No. 10, (§§ 1306.160 Appendix B (d) and 1306.163 Appendix E) shall become effective January 11, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-311; Filed, January 6, 1943;  
12:36 p. m.]

## PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 143, Amendment 3]

## WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

In each of subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1315.1501, the words "established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111", are substituted for the words "in effect on April 24, 1942, under Revised Price Schedule No. 63."

In the paragraph following the colon in each of subdivisions (ii) and (iii) of paragraph (c) (1) of § 1315.1501, the words "established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111", are substituted for the words "in effect on April 24, 1942, under Revised Price Schedule No. 63—Retail Prices for New Rubber Tires and Tubes."

In the first sentence of paragraph (d) in § 1315.1501 the words "subparagraphs (1) to (4)" are substituted for the words "subparagraphs (1) to (3)"; two new subdivisions (iii) and (iv) are added to paragraph (d) (1) of § 1315.1501; three new subdivisions (iii), (iv) and (v) are added to paragraph (d) (2) of § 1315.1501; subparagraph (4) of paragraph (d) of § 1315.1501 is redesignated subparagraph (5) and a new subparagraph (4) is added, as set forth below:

§ 1315.1501 Maximum wholesale prices for new rubber tires and tubes.

(d) Passenger-car reclaimed rubber war tires. \* \* \*

(1) Sales on the basis of consumer price lists. \* \* \*

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii) or (iii) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 3664, 5712, 8948, 9890.



manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), or (iii) of this subparagraph (1), on the first sale or delivery of the tires to the purchaser.

(2) *Sales on the basis of wholesale price lists.* \* \* \*

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any 6.00-16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) Notwithstanding the provisions of subdivisions (i), (ii) or (iii), the maximum wholesale price for any new passenger-car reclaimed rubber war tires on which the name General Tire and Rubber Co. appears, shall be the price applicable to a purchaser of the same class calculated in accordance with the provisions of subdivisions (i), (ii) or (iii), increased by 7 percent.

(v) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii), (iii) or (iv) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in sub-

paragraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), (iii) or (iv) of this subparagraph (2), on the first sale or delivery of the tires to the purchaser.

(4) *Other sales under cost-plus contracts.*—(i) *Manufacturers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by a manufacturer to a purchaser to whom the manufacturer was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be a price calculated in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires by a manufacturer to the private brand distributor. This inferior subdivision (i) does not apply to a sale or delivery of private brand tires to the private brand distributor, which is priced under subparagraph (3). When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11. All provisions of subparagraph (3), including the reporting provision, must be followed.

(ii) *Other sellers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by any seller other than a manufacturer to a purchaser to whom the seller was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be the price determined upon the seller's first sale or delivery of such tires to the particular purchaser, by applying to the seller's net buying price of the particular size of reclaimed rubber war tire, the percentage mark-up applicable to the purchaser. The percentage mark-up to be applied to the seller's net buying price of any size of reclaimed rubber war tire in determining its maximum price to any

particular purchaser shall be the difference between the seller's net buying price in November, 1941, of the 6.00-16 size tire of the brand designated in the next sentence, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the seller during November, 1941, to that purchaser, expressed as a percentage of the seller's November, 1941, net buying price. The brand of tire to be used in calculating the percentage mark-up shall be whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the seller to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11 if the seller is pricing a manufacturers' brand under this subdivision or closest to \$15.37 if the seller is pricing a private brand under this subdivision. The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the seller to the same purchaser. The seller shall report his maximum prices in accordance with the provisions of subdivision (iv) of subparagraph (3) of this paragraph, except that he need not use Form 243:1 in making his report and he shall show on his report his own net buying prices which he used in making his calculations instead of the factory costs referred to in that subdivision (iv).

\* \* \*  
§ 1315.1512 *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§ 1315.1501 (b) (1), (2), (3) and (4), (c) (1) (ii) and (iii), (d) (1) (iii) and (iv), (d) (2) (iii), (iv) and (v), (d) (4) and (5)) to Maximum Price Regulation No. 143 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-312; Filed, January 6, 1943; 12:22 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 114; Amendment 5]

WOODPULP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Subparagraph (35) of paragraph (a) of § 1347.229 is amended; paragraphs (b) and (c) of § 1347.230 are revoked, and paragraph (e) thereof, is redesignated paragraph (b) of § 1347.230, and is amended; and subparagraph (3) (i) of paragraph (a) of § 1347.232 is amended, all to read as follows:

\*Copies may be obtained from the Office of Price Administration.

\*7 F.R. 2843, 3576, 5059, 5564, 8997, 8948.



§ 1347.229 (a) \* \* \*

(35) "The foreign area" includes all foreign countries except those parts of the Dominion of Canada for which basic transportation allowances are provided by subparagraph (3) of paragraph (a) of § 1347.232.

§ 1347.230 \* \* \*

(b) An exception to the Lend-Lease provisions of this Maximum Price Regulation No. 114 may be granted by the Administrator either upon petition or upon his own motion, in any case in which a statement is received from the War Production Board to the effect that

such exception is necessary in order to compensate a producer for the extra cost, if any, of special packaging or other special treatment, required for the shipment of such woodpulp to a foreign country.

§ 1347.232 (a) \* \* \*

(3) Basic transportation allowances per short air dry ton. (i) The maximum delivered price established hereinabove may be exceeded, as provided in subdivision (ii) below, where the actual freight charges involved in the shipment of the woodpulp exceeds the appropriate basic transportation allowance as follows:

Area of production of domestic woodpulp	Applying to domestic producers of wet woodpulp (§ 1347.229 (a) (29))		Applying to domestic producers of dry woodpulp (§ 1347.229 (a) (30))
	Below 50% air dry wt.	50%-80% air dry wt.	Above 80% air dry wt.
Northeast (§ 1347.229 (a) (31))	\$13.50	\$11.50	\$8.50
Lake Central (§ 1347.229 (a) (32))	13.50	11.50	8.50
Southern (§ 1347.229 (a) (33))	16.00	14.00	11.00
West Coast (§ 1347.229 (a) (34)) (applying only to woodpulp sold outside this area)	16.50	15.50	13.50
West Coast (§ 1347.229 (a) (34)) (applying only to woodpulp sold in this area)	10.50	9.50	7.50

  

Area of production of foreign woodpulp	Applying to foreign producers of woodpulp		
	Below 50% air dry wt.	50%-80% air dry wt.	Above 80% air dry wt.
Canada, east of the Continental Divide	\$14.50	\$12.50	\$9.50
Canada, west of the Continental Divide (applying only to woodpulp sold east of the Continental Divide)	16.50	15.50	13.50
Canada, west of the Continental Divide (applying only to woodpulp sold west of the Continental Divide)	10.50	9.50	7.50
Other foreign areas			

§ 1347.231a Effective dates of amendments. \* \* \*

(e) Amendment No. 5 (§§ 1347.229, 1347.230, 1347.232 (3) (a)) to Maximum Price Regulation No. 114 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-313; Filed, January 6, 1943; 12:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268, Amendment 1]

SALES OF CERTAIN PERISHABLE FOOD  
COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this Amendment No. 1 to Maximum Price Regulation No. 268 has been issued and filed with the Division of the Federal Register.\*

Subdivisions (ii) and (iii) of § 1351.1103 (a) (2) are amended; new § 1351.1103a is added; the head-note and

paragraph (a) of § 1351.1110 are amended; § 1351.1113 is amended; new § 1351.1115a is added; the table in paragraph (a) of § 1351.1116 is amended; subparagraph (3) of § 1351.1116 (c) is amended and new subparagraphs (4) (5) (6) and (7) are added; all to read as set forth below:

§ 1351.1103 How a retailer calculates his maximum prices for the food commodities listed in Appendix A. (a) \* \* \*

(2) The retailer will then find his net cost of the item he is pricing.

(ii) Where the item being priced is purchased by the retailer from other than an intermediate seller such as, but not limited to, a grower, primary seller, country shipper, processor, packer or the like, "net cost" in this regulation, except as otherwise provided in § 1351.1103a, means the amount paid by the retailer for the unit of purchase of his "largest single purchase" delivered at his customary receiving point, less all discounts allowed him except the discount for prompt payment; however, no charge or cost for local trucking or local unloading shall be included.

(iii) Where the item being priced is purchased by the retailer from an intermediate seller such as, but not limited to, wholesalers, carlot receivers, branch warehouses or jobbers, but not another re-

tailer, "net cost" in this regulation, except as otherwise provided in § 1351.1103a, means the amount paid by the retailer for the unit of purchase of his "largest single purchase" as shown on the intermediate seller's invoice (sales ticket, cash receipt, or other written evidence of sale), less all discounts allowed to the retailer except the discount for prompt payment. When transportation charges, other than local trucking, are paid by the retailer and are not shown on the intermediate seller's invoice, they may be added to the invoice in calculating "net cost".

§ 1351.1103a How certain retailers calculate "net cost" in special cases—(a) Fresh bananas purchased from importer at port of entry or at auction. (1) If a retailer purchases fresh bananas from an importer f. o. b. port of entry, his "net cost" shall be calculated by adding \$1.00 to the importer's maximum price per hundredweight f. o. b. port of entry (as established by Maximum Price Regulation No. 285<sup>7</sup>) plus the actual cost of transportation at lowest available common carrier rates to his customary receiving point, which transportation charges shall include freight, icing, heating and messenger service; however, no charge or cost for local trucking or local unloading shall be included. The sum of this computation shall be the retailer's "net cost" and shall be multiplied by the applicable figure in Appendix A. The product of this multiplication shall then be divided by 100. The resulting figure shall be the retailer's maximum price per pound, which is the unit of sale designated in Appendix A.

(2) If a retailer purchases fresh bananas at the auction markets at New York, Philadelphia or Baltimore, his "net cost" shall be calculated by adding \$1.00 to the importer's maximum price per hundredweight f. o. b. port of entry (as established by Maximum Price Regulation No. 285) plus the actual cost of transportation at lowest available common carrier rates of the fresh bananas from the port of entry to the auction market, which transportation charges shall include freight, icing, heating and messenger service; however, no charge or cost for local trucking, local unloading or ferry service shall be included. The sum of this computation shall be the retailer's "net cost" and shall be multiplied by the applicable figure in Appendix A. The product of this multiplication shall then be divided by 100. The resulting figure shall be the retailer's maximum price per pound, which is the unit of sale designated in Appendix A.

(b) Cheese—Limitation on transportation costs. When a retailer determines "net cost" for cheddar cheese or processed cheddar cheese purchased f. o. b. seller's shipping point, transportation charges shall not exceed the lowest published railroad carlot freight rate per pound of gross weight from Plymouth, Wisconsin, to the retailer's customary receiving point multiplied by 1.15.

§ 1351.1110 Relationship between this Maximum Price Regulation No. 268,

\* 7 F.R. 10481, 10688.

\*Copies may be obtained from the Office of Price Administration.

<sup>7</sup> F.R. 9184.



**Maximum Price Regulation No. 280<sup>3</sup> and the General Maximum Price Regulation.<sup>4</sup>**

(a) This Maximum Price Regulation No. 268 supersedes the provisions of Maximum Price Regulation No. 280 (Maximum Prices for Specific Food Products), and of the General Maximum Price Regulation, except as otherwise provided in paragraph (b) of this § 1351.1110, insofar as sales by retailers of food commodities covered by this Maximum Price Regulation No. 268 are concerned.

§ 1351.1113 **Definitions.** Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1351.1014 of Maximum Price Regulation No. 271<sup>5</sup> (potatoes and onions), §§ 1429.17, 1429.19 and

1429.21 of Revised Maximum Price Regulation No. 269<sup>6</sup> (poultry), § 1351.1264 of Maximum Price Regulation No. 285<sup>7</sup> (imported fresh bananas) and § 1351.1519 (f) of Maximum Price Regulation No. 289<sup>8</sup> (dairy products), shall apply to terms used herein wherever applicable.

§ 1351.1115a **Effective dates of amendments.** (a) Amendment No. 1 (§§ 1351.1103 (a) (2) (ii), 1351.1103 (a) (2) (iii), 1351.1103a, 1351.1110 (a), 1351.1113, 1351.1115a, 1351.1116 (a), 1351.1116 (c) (3), (4), (5), (6) and (7)) to Maximum Price Regulation No. 268 shall become effective on January 14, 1943.

§ 1351.1116 **Appendix A: Figures to be used by retailers in determining maximum prices under § 1351.1103 of this regulation.** (a) \* \* \*

Food commodity <sup>1</sup>	Day of the week on which retailer must calculate maximum prices	Figures to be multiplied by net cost of item in determining maximum prices under this regulation					Unit of sale for which base maximum selling price must be calculated
		Independent retailer with annual volume—			Class 4 chain retailer with annual volume under \$250,000	Class 5 any retailer (chain or independent) with annual volume of \$250,000 or more	
		Class 1 under \$20,000	Class 2 \$20,000 but less than \$50,000	Class 3 \$50,000 but less than \$250,000			
1. White potatoes.....	Thursday..	1.33	1.33	1.30	1.30	1.28	Pounds 5
2. Dry onions.....	Thursday..	1.50	1.50	1.50	1.39	1.35	3
3. All poultry bought dressed and sold dressed or bought drawn and sold drawn (boxed and other pack).	Thursday..	1.20	1.20	1.20	1.18	1.18	1
4. All poultry bought live and sold live.	Thursday..	1.21	1.21	1.21	1.19	1.19	1
5. All poultry bought live and sold on a dressed weight basis (multiply live cost per lb. by applicable figure in table. This establishes selling price per dressed weight lb.).	Thursday..	1.38	1.38	1.38	1.36	1.36	1
6. Quick-frozen poultry bought and sold eviscerated.	Thursday..	1.25	1.25	1.25	1.25	1.25	1
7. Fresh bananas bought on the stem.	Thursday..	1.43	1.43	1.43	1.34	1.34	1
8. Fresh bananas bought in hands.	Thursday..	1.34	1.34	1.34	1.25	1.25	1
9. Cheese.....	Thursday..	1.27	1.27	1.27	1.24	1.22	{ 1 lb. or 1 package
10. Butter.....	Thursday..	1.10	1.10	1.10	1.08	1.08	{ 1
11. Fresh citrus fruit.....	Thursday..	1.39	1.39	1.39	1.36	1.36	{ 5 lbs. or 1 dozen

<sup>1</sup> Separate price must be computed for each grade, kind and variety. The retailer's supplier must show the grade, kind and variety on the invoice.

<sup>2</sup> The unit of sale for fresh citrus fruit shall be 5 lbs. or 1 dozen, except that for grapefruit it shall be 1 lb. or 1 grapefruit.

(c) **Definitions.** (1) "Potatoes" means all white potatoes used for human consumption not including seed potatoes.

(2) "Onions" means all dry onions used for human consumption produced in the calendar year 1942.

(3) "Poultry" means all live, dressed, Kosher-killed, drawn, and eviscerated broilers, fryers, roasters—light and heavy, fowl—light, medium and heavy, capons—light and heavy, stags—light and heavy, old roosters—light and heavy, ducks—light and heavy, geese, guineas,

squabs, pigeons, young turkeys—light, medium and heavy, old turkeys—light, medium and heavy, and all other forms of poultry sold for human consumption, excluding such day-old or started birds as are sold for development to marketable size or such birds as are sold for breeding purposes. Poultry sold by the retailer drawn or eviscerated must be sold on a dressed weight basis applying the margin for items 3 or 5 above depending on whether the poultry was purchased live or dressed. No extra charge may be added for drawing or eviscerating. No price may be quoted for poultry on a drawn or eviscerated basis except where poultry is purchased by the retailer quick-frozen or eviscerated or drawn.

<sup>3</sup> 7 F.R. 10708, 10864.

<sup>4</sup> 7 F.R. 10481, 10688.

<sup>5</sup> 7 F.R. 10996.

<sup>6</sup> 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995.

<sup>7</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

<sup>8</sup> 7 F.R. 9179, 10715.

(4) "Fresh bananas" means the imported fruit of the banana tree. Bananas from different countries of origin such as, but not limited to Costa Rica, Honduras, Guatemala and Mexico, shall be considered different "kinds" of bananas.

(5) "Cheese" means all varieties and kinds of natural and processed cheese, bulk or packaged, including cottage cheese and cheese products the ingredients of which are composed of more than 50% cheese by weight.

(6) "Butter" means all packaged and bulk butter. "Packaged butter" means butter received by a retailer, at his customary receiving point, packaged in paper cartons or other material in units of uniform weight which units are sold directly to the consumer. "Bulk butter" means butter sold to the consumer in amounts ladled out of tubs or other large containers.

(7) "Fresh citrus fruit" means all fresh citrus fruits including but not limited to oranges, lemons, limes, grapefruit and tangerines. Maximum prices shall be calculated for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines, white seeded and pink seeded grapefruit, white and pink seedless grapefruit and ruby red grapefruit. Different areas are California, Arizona, Texas, Florida—Indian River section and all other sections of Florida.

(Pub. Laws 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

Price actions with respect to any agricultural commodity within the meaning of that term as used in section 3 of the Emergency Price Control Act of 1942 and section 3 of the Act of October 2, 1942, Public Law 729, 77th Congress, contained in this regulation are hereby approved by the Secretary of Agriculture.

GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 43-314; Filed, January 6, 1943; 12:23 p. m.]

## PART 1389—APPAREL

[Correction to MPR 287<sup>1</sup>]

## MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

In § 1389.352 (a) in the second paragraph thereof, the word "seven" which appears in the last sentence of that paragraph is corrected to read "six".

In § 1389.353 the heading is corrected to read *Pricing of garments by manufacturers, except "manufacturing-retailers", "dressmakers" and "custom tailors"*. Section 1389.369a is added.

In Rule 3 in § 1389.353 (c) the example is corrected to read as follows:

<sup>1</sup> 7 F.R. 10460.



For example, if the manufacturer whose report is illustrated in Appendix B (§ 1389.371) delivered only garments in Category No. 22, shown in that Pricing Chart during March 1942, his maximum allowable margin for garments in a new category number shall be 28.8%. This is calculated by adding 22%, 27%, 20%, and 46% and then dividing the sum, 115% by 4, thus giving him the maximum allowable margins for the garments of new category numbers of 28.8%.

If he desires to make women's coats, Category No. 1, the Table in Appendix E indicates that he would use Group I, and could sell women's coats in a \$16.75 selling price line. Thus, his minimum allowable cost in that selling price line would be \$11.93. This is calculated by taking a maximum allowable margin of 28.8% on the \$16.75 selling price line.

In the second paragraph of Rule 5 in § 1389.353, the date "January 10, 1943" is corrected to read "January 11, 1943".

In the first sentence of paragraph (a) of § 1389.372 and in the first sentence of paragraph (b) of § 1389.372 the phrase "§ 1389.353 (b) (4)" is corrected to read "§ 1389.353 (b) (3)".

In the third sentence of subdivision (ii) of § 1389.373 (a) (8) the word "or" is corrected to read "on".

In the second sentence of the first paragraph of § 1389.356, the word "appropriate" is substituted for "nearest".

§ 1389.369a *Effective dates of corrections and amendments.* (a) Correction (§§ 1389.352 (a), 1389.353, 1389.356, 1389.369a, 1389.372 (a) and (b), 1389.373 (a) (8) (ii)) to Maximum Price Regulation No. 287 is effective as of December 15, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-315; Filed, January 6, 1943;  
12:22 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183, Amendment 16]

##### PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Subparagraphs (11), (12) and (13) of § 1418.1 (a); paragraphs (a), (b), (g), (h), (i), (m), (n), (q), (v) of § 1418.14; and the item "Rolled oats" in paragraph (1), Table XII of § 1418.14 are amended as set forth below. The reference to July 20, 1942 in subparagraph (1) of § 1418.1 (a), the reference to August 20, 1942 in subparagraph (2) of § 1418.1 (a), the reference to November 13, 1942 in subparagraph (7) of § 1418.1 (a), the reference to November 13, 1942 in subparagraph (8) of § 1418.1 (a) and the

reference to November 13, 1942 in subparagraph (9) of § 1418.1 (a) are amended to read January 4, 1943.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

(11) On and after November 21, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy corn meal and cheese in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (k), Table XI; (o), Table XV; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy certain cereals, certain packing house products and garlic in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (1), Table XII; (m); Table XIII; (n), Table XIV; and no person shall offer, solicit, or attempt to do any of the foregoing.

(12) On and after December 5, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy laundry soap or canned Vienna sausage in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (r), Table XVII; (s), Table XVIII; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy wheat flour in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (q), Table XVI; and no person shall offer, solicit, or attempt to do any of the foregoing.

(13) On and after December 9, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver oleomargarine in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (u), Table XIX; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver certain processed fruits and vegetables in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (v), Table XX; and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.14 *Tables of maximum prices—*

(a) *Table I: Maximum prices for rice.* (1) The maximum prices for rice sold or delivered in the Territory of Puerto Rico shall be:

	Sales to whole-salers	Sales at wholesale	Sales at retail
All grades of imported rice.....	Price per pound \$.0655	Price per pound \$.07	Price per pound \$.08

For sales of different quantities the maximum price shall be computed proportionately.

(b) *Table II: Maximum prices for pork fat backs.* (1) The maximum prices for pork fat backs sold or delivered in the Territory of Puerto Rico shall be:

	Sales to whole-salers	Sales at wholesale	Sales at retail
Pork fat backs, dry salt.....	Price per cwt. \$14.00	Price per cwt. \$15.55	Price per pound \$.18
Pork fat backs, pickled.....	14.15	15.55	.18

For sales of different quantities the maximum price shall be computed proportionately.

(g) *Table VII: Maximum prices for dried beans.* (1) The maximum price for dried beans sold or delivered in the Territory of Puerto Rico shall be:

	Sales to whole-salers	Sales at wholesale	Sales at retail
All grades of dried beans except garbanzos.....	Price per pound \$.0655	Price per pound \$.07	Price per pound \$.08

For sales of different quantities the maximum price shall be computed proportionately.

(h) *Table VIII: Maximum prices for onions.* (1) The maximum price for onions sold or delivered in the Territory of Puerto Rico shall be:

	Sales to whole-salers	Sales at wholesale	Sales at retail
Onions.....	Price per 50-lb. bag \$2.30	Price per 50-lb. bag \$2.75	Price per pound \$.07

For sales of different quantities the maximum price shall be computed proportionately.

(i) *Table IX: Maximum prices for butter.* (1) The maximum price for butter sold or delivered in the Territory of Puerto Rico shall be:

	Sales to whole-salers	Sales at wholesale	Sales at retail
Butter.....	Price per pound \$.4945	Price per pound \$.55	Price per pound \$.65

For sales of different quantities the maximum price shall be computed proportionately.

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812.



(l) Table XII: Maximum prices for certain cereals. (1) The maximum prices for certain cereals sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per case 36/80 oz. \$2.89	Price per case 36/80 oz. \$3.22	Price per 80-oz. package \$0.11
Rolled oats.....	Price per case 24/80 oz. \$1.96	Price per case 24/80 oz. \$2.20	Price per 80 oz. package \$0.11

(m) Table XIII: Maximum prices for certain packing house products. (1) The maximum prices for certain packing house products sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 100 lb. \$15.45	Price per 100 lb. \$16.70	Price per pound \$0.19
Lard pork fat rendered.			
Pure refined lard in tierces.....	16.05	17.30	.20
Pure refined lard in cases 56.....	16.00	17.25	.20
Pure refined lard in 34 to 37 tins.....	16.50	17.75	.20
Pork pickled heads and tails.....	15.15	16.15	.19
Pork spare ribs, cured.....	21.25	23.25	.27
Pork snouts, cured.....	11.85	12.85	.16
Smoked picnic hams.....	30.90	33.90	.41
Beef pickled or jerked.....	23.35	24.85	.29
	Price per pound \$ .1685	Price per pound \$ .181	Price per pound \$ .22
Lard refined, hydrogenated prints.....			

For sales of different quantities the maximum price shall be computed proportionately.

(n) Table XIV: Maximum prices for garlic. (1) The maximum prices for garlic sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 50-lb. bag \$3.33	Price per 50-lb. bag \$3.70	Price per pound \$ .09
Garlic.....			

For sales of different quantities the maximum price shall be computed proportionately. These maximum prices are not applicable to garlic sold on strings.

(q) Table XVI: Maximum prices for wheat flour. (1) The maximum prices for wheat flour sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per bale 4/24 1/2-lb. bags \$4.15	Price per bale 4/24 1/2-lb. bags \$4.65	Price per pound \$ .06
Grade A.....			
	Price per bale 2/49-lb. bags \$4.00	Price per bale 2/49-lb. bags \$4.65	.06
Grade A.....			
	Price per 98-lb. bag \$3.85	Price per 98-lb. bag \$4.65	.06
Grade A.....			
	Price per bale 4/24 1/2-lb. bags \$4.15	Price per bale 4/24 1/2-lb. bags \$4.65	.06
Grade C.....			
	Price per bale 2/49-lb. bags \$4.00	Price per bale 2/49-lb. bags \$4.65	.06
Grade C.....			
	Price per 98-lb. bag \$4.00	Price per 98-lb. bag \$4.65	.06
Grade C.....			

	Sales to wholesalers or industrial users	Sales by wholesalers
	Price per 20-lb. bag \$7.85	Price per 20-lb. bag \$8.35
Enriched hard wheat 14% minimum protein.....		
Enriched hard wheat 12% minimum protein.....	7.75	8.25
Enriched hard wheat clear 14 1/2% minimum protein.....	7.15	7.65
Enriched hard wheat clear 12 1/2% protein.....	7.05	7.55
Grade A.....	7.85	8.35

For sales of different quantities the maximum price shall be computed proportionately.

(v) Table XX: Maximum prices for certain processed vegetables and fruits. (1) The maximum prices for certain processed vegetables and fruits sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Case 24 No. 2 cans \$2.25	Case 24 No. 2 cans \$2.64	Price per No. 2 can \$0.14
Carrots.....			
Corn:			
Creamed style, Golden C.....	2.65	3.05	.16
Whole kernel extra standard.....	2.95	3.35	.17
Whole kernel fancy.....	3.10	3.50	.18
Peas:			
B.....	3.10	3.50	.18
C.....	2.95	3.40	.18
Tomatoes.....	2.60	2.95	.16
	Case 48/10 1/2 oz. cans \$2.65	Case 48/10 1/2 oz. cans \$3.00	Price per 10 1/2 oz. cans \$0.08
Tomato soup.....			
Vegetable soup.....	2.65	3.00	.08
	Case 72/8 oz. cans \$3.50	Case 72/8 oz. cans \$3.90	Price per 8 oz. can \$0.07
Tomato sauce.....			

For sales of different quantities the maximum price shall be computed proportionately.

portionately. The references to soup do not include "new-formula condensed soups" which are covered by Maximum Price Regulation No. 181.<sup>2</sup>

§ 1418.13a Effective dates of amendments.

(p) Amendment No. 16 (§§ 1418.1 (11), (12), (13); 1418.14 (a), (b), (g), (h), (i), (l), (m), (n), (q), (v)) to Maximum Price Regulation No. 183 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-316; Filed, January 6, 1943; 12:22 p. m.]

#### PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241, Amendment 2]

##### MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

A new paragraph (d) is added to § 1421.116, a new paragraph (b) is added to § 1421.115a, paragraph (b) of § 1421.110 is amended, all as set forth below:

##### § 1421.110 Records and reports. \* \* \*

(b) Each person making a sale of malleable iron castings on or after October 21, 1942, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustment for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on or after October 21, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a) or (d) of Appendix A (§ 1421.116) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The date specified in (1), (2), (3) and (4) of this paragraph (b) shall be kept for inspection by the Office of Price Administration for the

\*Copies may be obtained from the Office of Price Administration.

<sup>2</sup> 7 F.R. 5560, 5775, 8948, 10470.



same period by each person making a purchase of malleable iron castings in the course of trade or business.

\* \* \* \* \*

**§ 1421.116 Appendix A: Maximum prices for malleable iron castings.** \* \* \*

(d) Maximum prices in lieu of those set forth in paragraph (b) for malleable iron castings which are not substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price lists during such period. Notwithstanding the provisions of paragraph (b) of this § 1421.116, where the seller contracted or agreed to sell a casting at any time before October 1, 1941 which is the same or substantially the same as the casting for which a maximum price is sought, and if such casting cannot be priced under paragraph (a) of this § 1421.116, he may if he so chooses, in lieu of determining the maximum price of such casting under paragraph (b) of this section, use as his maximum price for such casting the price at which he last contracted or agreed to sell the same or substantially the same casting before October 1, 1941, after adjusting such price in accordance with the applicable customary charges, discounts, quantity differentials and allowances in effect for him between October 1, 1941 and October 15, 1941 in sales to a purchaser of the same class.

**§ 1421.115a Effective date of amendments.** \* \* \*

(b) Amendment No. 2 (§ 1421.110 (b), § 1421.116 (d), § 1421.115a (b)) to Maximum Price Regulation 241 shall be effective as of October 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-317; Filed, January 6, 1943;  
12:21 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Order 150 Under § 1499.18 (b) of GMPR]

**ROYLE MAID PRODUCTS**

Order No. 150 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-1190.

Herman Hessler doing business as Royle Maid Products, Philadelphia, Pennsylvania, made application on August 4, 1942, pursuant to § 1499.18 (b) of the General Maximum Price Regulation for an authorization to adjust his maximum price on sales of a peanut butter sandwich packed 24 packages per box. This petition was denied by letter November 16, 1942. For reasons set forth in support of this order issued simultane-

ously herewith and filed with the Division of the Federal Register,\* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1499.18 (b) of the General Maximum Price Regulation, It is hereby ordered:

§ 1499.1411 Adjustment of the maximum price for sales of peanut butter sandwiches by Royle Maid Products. (a) Royle Maid Products, 3605 North Smedley Street, Philadelphia, Pennsylvania, may sell and deliver to Union News Co. and Union News Co. may buy and receive from Royle Maid Products peanut butter sandwiches at a price not to exceed 66 cents per box of 24 packages.

(b) The adjustment granted to Royle Maid Products in paragraph (a) is subject to the condition that they shall forthwith by circular or other appropriate means notify Union News Co. in writing, that the Office of Price Administration has authorized an adjustment as set forth herein and that said notice shall read substantially as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of peanut butter sandwiches 24 packages in a box from 60 cents per box to 66 cents per box. Your maximum price to the ultimate consumer, as per your affidavit, will remain at your March ceiling price of 5 cents per package.

(c) This Order No. 150 (§ 1499.1411) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 150 (§ 1499.1411) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 150 (§ 1499.1411) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-320; Filed, January 6, 1943;  
12:21 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Order 151 Under § 1499.18 (b) of GMPR]

**PUTNAM KNITTING CO.**

Order No. 151 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2586.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,\* It is ordered:

§ 1499.1412 Adjustment of the maximum price for the sale of wash cloths by Putnam Knitting Company. (a) Put-

\*Copies may be obtained from the Office of Price Administration.

nam Knitting Company, Cohoes, New York, may sell and deliver, and any person may buy and receive from Putnam Knitting Company, the wash cloth described below at prices no higher than those set forth below:

Description	Cents per dozen
Knitted wash cloth sold as Woolworth style No. 77-----	50½

(b) The maximum price set forth in paragraph (a) shall be subject to the same terms and conditions of sale as were granted to purchasers during March, 1942.

(c) Putnam Knitting Company shall cause the following notice to be sent, in writing, to all retailers who purchase the wash cloth described above:

The Office of Price Administration has permitted us to raise our maximum price for knitted wash cloths (Woolworth Style No. 77) from 49 cents per dozen to 50½ cents per dozen. This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for knitted wash cloths.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 151 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 151 (§ 1499.1412) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 151 (§ 1499.1412) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-321; Filed, January 6, 1943;  
12:19 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Order 152 Under § 1499.18 (b) of GMPR]

**CALIFORNIA VEGETABLE CONCENTRATES, INC.**

Order No. 152 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-709.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1413 Adjustment of maximum price of "General Mills Vegetable Admixture No. 2" manufactured by California Vegetable Concentrates, Inc., 216 Architects Building, Los Angeles, California, for sales to General Mills, Inc., Minneapolis, Minnesota. (a) California Vegetable Concentrates, Inc., of Los Angeles, California, may sell and deliver, and General Mills, Inc., of Minneapolis,



Minnesota, may buy and receive from California Vegetable Concentrates, Inc., "General Mills Vegetable Admixture No. 2" at prices no higher than 49.72¢ per pound, f. o. b. Chicago, Illinois.

(b) California Vegetable Concentrates, Inc. shall not change its customary allowances, discounts or other price differentials unless such change shall result in a lower selling price.

(c) California Vegetable Concentrates, Inc., before or at the time of making the initial sale of "General Mills Vegetable Admixture No. 2" after the effective date of this order, shall notify General Mills, Inc. in writing as follows:

The Office of Price Administration has permitted us to raise our selling price for sales to you of "General Mills Vegetable Admixture No. 2" from 39.26¢ to 49.72¢ per pound. This amount represents only that part of cost increases which we are unable to absorb, and it was granted with the understanding that the increase would be absorbed by you and that it would not be passed on in whole or in part to your customers. O.P.A. requires that you keep this notice for examination.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 152 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 152 (§ 1499.1413) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 152 (§ 1499.1413) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-322; Filed, January 6, 1943;  
12:17 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 8 of Supp. Reg. 15 to GMPR]

##### PHILADELPHIA FREIGHT FORWARDING CO.

Order No. 8 Under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1297.

For the reasons set forth in an opinion issued simultaneously herewith: It is ordered:

§ 1499.1308 Adjustment of maximum prices for contract carrier services by Willard M. Whitney, d/b/a Philadelphia Freight Forwarding Co. (a) Willard M. Whitney, d/b/a Philadelphia Freight Forwarding Co., of Philadelphia, Pennsylvania, hereinafter referred to as applicant, may charge as maximum rates the amounts set out in that schedule of minimum rates and charges filed with the Interstate Commerce Commission under the provisions of section 218 (a) of the Interstate Commerce Act, denoted as N.F.-I.C.C. No. 17, effective August 24, 1942, for applicant's services as a contract carrier by motor vehicle as described in said schedule. Applicant is further authorized to charge as maximum rates

for applicant's services as a contract carrier by motor vehicle the following charges:

All rates in cents per hundred pounds. Truck load minimum weight 20,000 pounds

PLUMBING GOODS AND SUPPLIES INCLUDING BATH TUBS, LAVATORIES, SINKS, URINALS, DRAIN BOARDS, WATER CLOSETS, BOWLS AND TANKS, LAUNDRY TUBS, LEGS, BRACKETS AND FITTINGS

From—	To—	Less truck load	Truck load
Ford City, Pa.	New York City, N. Y.	70	45
Monaca, Pa.	New York City, N. Y.	70	45
	Asbury Park, N. J.	70	45
	Atlantic City, N. J.	70	45
	Bergen, N. J.	70	45
	Bloomfield, N. J.	70	45
	Bayonne, N. J.	70	45
	Boonton, N. J.	70	45
	Camden, N. J.	70	45
	East Orange, N. J.	70	45
	Edgewater, N. J.	70	45
	Elizabeth, N. J.	70	45
	Englewood, N. J.	70	45
	Gloucester, N. J.	70	45
	Hackensack, N. J.	70	45
	Hackettstown, N. J.	70	45
	Harrison, N. J.	70	45
	Hoboken, N. J.	70	45
	Irrington, N. J.	70	45
	Jersey City, N. J.	70	45
	Kearney, N. J.	70	45
	Linden, N. J.	70	45
	Montclair, N. J.	70	45
	Morristown, N. J.	70	45
	Newark, N. J.	70	45
	New Brunswick, N. J.	70	45
	Ocean City, N. J.	70	45
	Orange, N. J.	70	45
	Paterson, N. J.	70	45
	Plainfield, N. J.	70	45
	Pompton Lake, N. J.	70	45
	Princeton, N. J.	70	45
	Rahway, N. J.	70	45
	Red Bank, N. J.	70	45
	Ridgefield, N. J.	70	45
	Ridgewood, N. J.	70	45
	Roselle, N. J.	70	45
	Rutherford, N. J.	70	45
	Secaucus, N. J.	70	45
	South Orange, N. J.	70	45
	Trenton, N. J.	70	45
	Union, N. J.	70	45
	Union City, N. J.	70	45
	West Orange, N. J.	70	45
	West New York, N. J.	70	45

#### BATTERIES

Philadelphia, Pa.	New Jersey points	35	22
	Albany, N. Y.	59	34
	Troy, N. Y.	59	34
	Schenectady, N. Y.	59	34

#### PAPER AND PAPER PRODUCTS

From—	To—	Truck load
Albany, N. Y.	Philadelphia, Pa.	31

Between—	And—	Rate
Mines, Dumps, Mills and railroad sidings in Cherokee County, Kans., and Ottawa County, Okla., and Lawrence, Jasper, MacDonald, Barry and Newton Counties, in Mo.	Mines, Dumps, Mills and railroad sidings in Cherokee County, Kans., and Ottawa County, Okla., and Lawrence, Jasper, MacDonald, Barry and Newton Counties, in Mo.	1 mile and under..... 6
		2 miles and over 1 mile..... 8
		3 miles and over 2 miles..... 11
		4 miles and over 3 miles..... 14
		5 miles and over 4 miles..... 17
		6 miles and over 5 miles..... 20
		7 miles and over 6 miles..... 22
		8 miles and over 7 miles..... 25
		9 miles and over 8 miles..... 28
		10 miles and over 9 miles..... 30
		11 miles and over 10 miles..... 33
		12 miles and over 11 miles..... 36
		13 miles and over 12 miles..... 39
		14 miles and over 13 miles..... 42
		15 miles and over 14 miles..... 44
		16 miles and over 15 miles..... 47
		17 miles and over 16 miles..... 50
		18 miles and over 17 miles..... 53
		19 miles and over 18 miles..... 56
		20 miles and over 19 miles..... 60

#### LINOLEUM FLOOR COVERING

From—	To—	Less truck load	Truck load
Wilmington, Del.	Albany, N. Y.	59	37
	Pittsburgh, Pa.	59	43
	Seranton, Pa.	48	34

(b) All requests of the application not granted herein are denied.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 (§ 1499.1308) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 8 (§ 1499.1308) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-318; Filed, January 6, 1943;  
12:17 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 9 of Supp. Reg. 15 to GMPR]

IRA M. WATTS AND A. W. MCPHERSON

Order No. 9 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket Nos. GF3-2945—GF3-2946.

For the reasons set forth in an opinion issued simultaneously herewith: It is ordered:

§ 1499.1309 Adjustment of maximum prices for contract carrier services of Ira M. Watts and A. W. McPherson. (a) Ira M. Watts, Wentworth, Missouri, and A. W. McPherson, Joplin, Missouri, hereinafter referred to as applicants may sell and deliver and the Eagle-Picher Mining and Smelting Company, 430 Pearl Avenue, Joplin, Missouri, may pay and receive from said applicants contract carrier services at the following rates: All rates in cents per ton of 2,000 pounds.



Between—	And—	Rate
Mine hopper located at a point near Stark City, Mo., in Newton County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	80
Mine hoppers located near Aurora, Mo., in Lawrence County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	70

(b) All requests of the applications not granted herein are denied.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 (§ 1499.1309) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 9 (§ 1499.1309) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-319; Filed, January 6, 1943;  
12:23 p. m.]

## Chapter X—Federal Works Administrator

### Subchapter A—General Regulations

## PART 1201—DISCRIMINATION IN DEFENSE HOUSING OR DEFENSE PUBLIC WORKS

### DEFENSE PUBLIC WORKS IN AND NEAR DISTRICT OF COLUMBIA

The regulation providing against discrimination in work on Defense Housing, dated January 6, 1941 (6 F.R. 196), as amended by regulation providing against discrimination in work on Defense Public Works, dated September 11, 1941 (6 F.R. 4737), is hereby amended to read as follows:

§ 1201.1 *Prohibiting discrimination in employment.* There shall be no discrimination by reason of race, creed, color, national origin, or political affiliations in the employment of persons, qualified by training and experience, for work in the development of Defense Public Works at the sites thereof, including such projects in and near the District of Columbia.

(Section 308, Pub. Law 849, 76th Cong., as amended by Pub. Laws 42, 137, 409, and 522, 77th Cong.)

In testimony whereof, I have hereunto set my hand and official seal in the City of Washington this 5th day of January 1943.

[SEAL] PHILIP B. FLEMING,  
Major General, U. S. A.,  
Administrator.

[F. R. Doc. 43-341; Filed, January 7, 1943;  
10:34 a. m.]

## Chapter XIII—Petroleum Administration for War

### PART 1545—PETROLEUM SUPPLY

[Interpretation 1 of Petroleum Administrative Order 1, as Amended]

### FUEL OIL AND GASOLINE CONSUMING SERVICES

The following official interpretation is hereby issued by the Deputy Petroleum

Administrator with respect to § 1545.1, Petroleum Administrative Order No. 1, issued December 21, 1942, as amended:<sup>1</sup>

The categories listed on Schedule B include, without limitation as to other services properly coming within such categories, the following war production and essential civilian services:

(a) *Fuel oil consuming services.* (1) Fire and police stations, post offices, courthouses, schools, hospitals, and prisons.

(2) *Public transportation services:*

(i) Urban, suburban, and interurban common or contract carriers of passengers or freight, including terminals, and including taxicabs.

(ii) Railways, terminals, and related facilities.

(iii) Shipping on inland waterways including locks and terminals and not including dredging.

(iv) Airports and airfields.

(v) Oil pipe lines and pumping stations.

(vi) Maintenance and repair yards or shops used exclusively for the maintenance or repair of the above transportation services.

(3) *Public communications services:*

(i) Post Offices.

(ii) Radio broadcasting and communication.

(iii) Telephone and telegraph systems.

(4) *Water supply and sanitation systems,* including water works, pumping stations, and facilities for the maintenance and repair thereof.

(5) *Public eating establishments,* excluding places of amusement.

(6) *Bakeries, dairies, and food preservation and packing plants.*

(7) *Establishments used principally for residential purposes.*

(8) *Ice manufacturing plants.*

(9) *Laundries.*

(10) *Scientific testing and research laboratories.*

(11) *Repair yards, to the extent that they are used for the maintenance or repair of transportation equipment.*

(12) *Industrial plants, to the extent that they are engaged in the production or processing of the following munitions, equipment, or material:*

(i) Airplanes, airplane engines, and parts.

(ii) Naval and merchant ships and parts.

(iii) Ordnance items, including guns, ammunition, explosives, combat and military vehicles, radio equipment and parts.

(iv) Copper, brass, tin, lead, magnesium, aluminum and alumina, zinc, manganese, mercury, nickel, cadmium or monel metal.

(v) Abrasives.

(vi) Graphite electrodes.

(vii) Forgings.

(viii) The following machinery and equipment:

Power boilers.

Searchlights.

Electrical measuring instruments.

Generators.

Transformers, electrical control and switch-board apparatus.

Heat exchangers.

Pressure vessels.

Wire and cable.

Steam engines.

Steam turbines.

Diesel engines.

Gas engines.

Track-laying tractors.

<sup>1</sup> 7 F.R. 10791, 11012; 8 F.R. 28.

Mining machinery and equipment.

Machine tools.

Machine tool accessories and machinists precision tools.

Pumps and compressors.

Conveyors and conveying equipment.

Industrial cars and trucks.

Industrial blowers, exhaust and ventilating fans.

Mechanical testing equipment.

Ball and roller bearings and parts.

Mechanical power transmission equipment.

Water purification equipment.

Locomotives and railroad cars.

Navigation instruments.

Surgical, medical and dental equipment and supplies.

Optical instruments and lenses.

Construction machinery and equipment.

(ix) Iron ore, pig iron, steel and ferro-alloys.

(x) Sulphuric acid.

(xi) Liquid oxygen.

(xii) Rubber.

(xiii) Alcohol.

(13) *Public utilities, including the production, generation, transmission, or distribution of electric power, natural gas, or manufactured gas for general use by the public.*

(b) *Gasoline consuming services.* (1) The operation of vehicles or equipment employed in connection with and essential to the services listed in subparagraphs (1), (2), (3), (4), (6), (8), (9), (10), (11), (12), and (13) of paragraph (a) hereof.

(2) The operation of vehicles employed by an executive, technician, office worker, or other employee for necessary travel to, from, within, or between the establishments or facilities listed in subparagraph (12) of paragraph (a) hereof.

(3) Transportation of farm products and necessary supplies between a farm and a wholesale or retail establishment, a public market, a shipping point, or another farm.

(4) The operation of vehicles employed by physicians, nurses, and veterinarians for making necessary professional calls.

(5) The operation of vehicles employed by a practicing minister or a religious practitioner of any religious faith who regularly serves a congregation or organized religious faith to the extent necessary to enable him to meet the religious needs of the locality which he regularly serves or to render services of a religious nature.

(6) The operation of commercial vehicles except those engaged in making home deliveries of food, fuel, ice, or medical products.

(7) The operation of vehicles employed by engineers, architects, technicians, construction workers, repair and maintenance men, or other essential workers who require the use of such vehicles in connection with construction work related to the construction of industrial plants or facilities for the production of the munitions, equipment, or material specified in subparagraph (12) of paragraph (a) hereof, or the construction of naval or military establishments or facilities.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of December 1942.

RALPH K. DAVIES,  
Deputy Petroleum Administrator  
for War.

[F. R. Doc. 43-344; Filed, January 7, 1943;  
10:34 a. m.]



# TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter II—Corps of Engineers, War Department

### PART 204—DANGER ZONE REGULATIONS

#### BOMBING TARGET AREAS IN VICINITY OF AMELIA ISLAND AND PALM VALLEY, FLA.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the following regulations are hereby prescribed to govern the use and navigation of the waters of the Atlantic Ocean, in two areas, one about 12 nautical miles off the south end of Amelia Island and the other about 8 nautical miles offshore opposite Palm Valley, Florida, comprising strafing range and bombing target areas for Navy aircraft.

§ 204.81b *Waters of the Atlantic Ocean; U. S. Navy, strafing and anti-submarine bombing target areas in vicinity of Amelia Island and Palm Valley, Florida*—(a) *The danger zones.* Each area is circular with a radius of one nautical mile. The first, to be used as a strafing and anti-submarine bombing target area, will be located with its center at north latitude 30°34' and west longitude 81°12'; the second, to be used as a bombing target area, will be located with its center at north latitude 30°13' and west longitude 81°13'. Target raft clusters will be located at the centers of the danger areas and no further marking of the areas is proposed.

(b) *The regulations.* (1) The danger areas are open to navigation except when target practice is being conducted, when no vessel or other craft shall enter or remain within these areas except as provided in subparagraph (4) of this paragraph.

(2) Since aerial target practice will take place in these areas at frequent and irregular intervals throughout the year, regardless of season, advance notice shall be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be sent out that target practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to conduct of each target practice the area will be patrolled by naval aircraft which will warn navigation to leave the area by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall leave it and no craft shall enter this area until practice has ceased.

(4) These regulations shall not deny access to or egress from harbors contiguous to these danger zones by regular cargo-carrying vessels, nor shall they deny traverse of portions of the danger areas by regular cargo-carrying vessels proceeding on established steamer lanes. In case of the presence of any such vessel in the danger areas, the officer in charge of practice operations shall cause the cessation or postponement of fire until the vessel has cleared the area. The

<sup>1</sup> Chart filed as part of the original document.

vessel shall proceed on its normal course and shall not delay its progress.

(5) No marking of these areas is proposed. It is considered that the targets erected as described for each area will constitute sufficient marking for identification of the danger zone.

(6) These regulations shall be enforced by the Commandant, United States Naval Air Station, Jacksonville, Florida, and such agencies as he may designate. (Sec. 7, 40 Stat. 266; 33 U.S.C. 1) [Regs. December 29, 1942 (CE 800.2121 (Atlantic Ocean, Fla.)—SPEON)]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 43-337; Filed, January 7, 1943;  
10:29 a. m.]

# TITLE 35—PANAMA CANAL

## Chapter I—Canal Zone Regulations

### PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

#### DOCUMENTS REQUIRED OF ARRIVING VESSELS

1. Note 3 following § 4.20,<sup>1</sup> as amended, of Title 35, Code of Federal Regulations, is amended to read as follows:

§ 4.20 *Papers required by boarding party, list of.* \* \* \*

NOTE 3: *Crew list to include identification numbers of seamen.* For purposes of additional identification of crew members, all copies of the crew list required by Regulations 12.1 (§ 4.20) and 12.4 (§ 4.20c) should include for each seaman to whom a certificate of identification or a continuous discharge book has been issued as provided by law (46 U.S.C. 643) the serial number of such certificate of identification ("Z" number) or continuous discharge book.

(Rules 9 and 12, E.O. 4314, September 25, 1925 (§§ 4.11 and 4.19 of this chapter)) [Reg. 12.1 (§ 4.20), Governor's Regulations, August 1, 1931, as amended September 9, 1939, December 1, 1939, January 27, 1942, November 20, 1942, December 29, 1942]

2. The note following § 4.20c of Title 35, Code of Federal Regulations is amended to read as follows:

§ 4.20c *Advance passenger and crew lists by air mail.* \* \* \*

NOTE: *Crew lists to include identification numbers of seamen.* For purposes of additional identification of crew members, all copies of the crew list required by Regulations 12.1 (§ 4.20) and 12.4 (§ 4.20c) should include for each seaman to whom a certificate of identification or a continuous discharge book has been issued as provided by law (46 U.S.C. 643) the serial number of such certificate of identification ("Z" number) or continuous discharge book.

(Rules 9 and 12, E.O. 4314, September 25, 1925 (§§ 4.11 and 4.19 of this chapter)) [Reg. 12.4 (§ 4.20c), Governor's Regulations, August 1, 1931, as added January 27, 1942, and amended November 20, 1942, December 29, 1942]

GLEN E. EDGERTON,  
Governor.

[F. R. Doc. 43-330; Filed, January 6, 1943;  
2:52 p. m.]

<sup>1</sup> 7 F.R. 729, 10082.

# TITLE 46—SHIPPING

## Chapter IV—War Shipping Administration

[General Order 12, Supp. 12 (Adding a New Part V)<sup>1</sup>]

### PART 306—GENERAL AGENTS AND AGENTS

#### TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS CONDUCTING BUSINESS OF TUGS AND BARGES

§ 306.50 *Vessels included.* This Part V<sup>1</sup> of General Order No. 12 (§§ 306.50 to 306.60 inclusive) is applicable to services rendered in connection with the tugs and barges allocated to General Agents under the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.51 *Effective period.* The compensation provided in this Part V (§§ 306.50 to 306.60 inclusive) shall become effective as of the dates of delivery of the vessels to a General Agent under his service agreement.

§ 306.52 *General Agents defined.* A General Agent is one who has entered into a standard form of service agreement GAA—Special 8-1-42 (Barge Service) with the Administration, and to whom tugs and barges have been delivered.

§ 306.53 *Sub-Agent defined.* A Sub-Agent is one who is appointed by a General Agent pursuant to Article 6 of the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.54 *Other definitions.* The definitions contained in Paragraph 6 of General Order No. 12, Part I and supplements thereto (§ 306.6 as amended) shall apply to this Part V of General Order No. 12 (§§ 306.50 to 306.60 inclusive).

§ 306.55 *Compensation of Agents in continental United States ports.* The General Agent, when he performs any of the following services in continental United States ports, shall be compensated in accordance with the following scale, out of which he shall pay his Sub-Agents:

(a) 2½¢ per handled ton for all Army and Navy cargo outward or homeward where the cargo is handled by the Army or Navy and the Agent is not required to check the details of cargo handled. Where the full use of the barges is let to the Army or Navy on a lump sum basis, the Agent shall receive 2½¢ per ton on the deadweight capacity of the barge.

(b) 10¢ per handled ton outward and homeward on bulk cargo or cargoes. 3½¢ per handled ton on bulk cargo loaded and discharged (both operations) coastwise, including coal.

(c) 25¢ per handled ton for all other cargo outward and 15¢ per handled ton for all other cargo homeward, not falling within clauses (a) and (b) above.

The foregoing scale of compensation is subject to the following special conditions: (1) Where the compensation provided above for loading or discharging is less than \$50.00, the General Agent

<sup>1</sup> The designation Part V does not refer to the Code of Federal Regulations.



will be compensated in the amount of \$50.00; (2) Compensation for services rendered where tug with tow is required to enter a port for purposes other than loading or discharging cargo, such as for orders, shall not exceed \$25.00 for all services in connection with entrance and clearance and other usual port services of a like nature.

§ 306.56 *Compensation of Sub-Agents in foreign ports.* As compensation for services rendered outside of continental United States, the General Agent may pay to his foreign Sub-Agents whose services are utilized in this connection the prevailing commercial rates, but in no event in excess of the following:

(a) Into Cuban ports, agency fee of \$100.00 for a tug and its tow.  
(b) Out of Cuban ports with cargo, \$150.00, covering tug with tow.  
(c) For handling entrance or clearance of tug without tow, maximum fee of \$25.00 for either service, entering or clearing.

§ 306.57 *Compensation of General Agents.* In addition to any agency fees, to which the General Agent is entitled pursuant to § 306.55, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or prorata thereof (part days count as whole days), beginning with the day and month in which the first tug or barge subject hereto was delivered to the General Agent and ending with the calendar month or prorata thereof in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of the number of tugs and barges handled during each month, shall be calculated in accordance with the following scale:

*Tugs.* First tug assigned, \$700.00 per month. All additional tugs, \$350.00 per month per tug.

*Barges.* First barge, \$350.00 per month. Next 4 barges, \$250.00 per month per barge. Next 5 barges, \$150.00 per month per barge. Each barge in excess of 10 barges, \$100.00 per month per barge.

(b) *Adjustment when tugs or barges are idle.* The Administrator reserves the right to reduce the compensation to the extent that any tug or barge is idle at any port for cause for which the General Agent is responsible, at the highest rate applicable hereunder.

§ 306.58 *Reimbursement for agency fees.* Fees paid by General Agents to Sub-Agents, as provided in § 306.56, shall be included in the accounts of the General Agent as an expense of operation, and shall be reimbursable under Article 7 of the service agreement.

§ 306.59 *General provisions.* The Administrator reserves the right to adjust the compensation provided herein from time to time as he may deem appropriate, and to exempt specific operations from the scope of this order.

§ 306.60 *Accounting.* Beginning with December 31, 1942, all General Agents will render quarterly income statements 25 days after the end of the period, and for each calendar year not later than February 28 of the following year, covering results of all operations as General

Agents under GAA agreements, in accordance with United States Maritime Commission General Order No. 22, issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Income statements shall reflect all compensation received by the General Agent with appropriate general administrative expenses and sub-agency fees disbursed by him, allocated against such income so as to reflect clearly the profit or loss made by the General Agent under the agreement.

(E.O. 9040, 7 F.R. 837)

[SEAL]

E. S. LAND,  
Administrator.

JANUARY 6, 1943.

[F. R. Doc. 43-340; Filed, January 7, 1943;  
10:13 a. m.]

## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

#### PART 2—GENERAL RULES AND REGULATIONS STATION IDENTIFICATION

The Commission on January 5, 1943, effective immediately, adopted the following new section:

§ 2.65 *Station identification.* When not required to identify itself by some other provision or provisions of the Rules and Regulations, every radio station shall identify itself by its regularly designated call letters as follows:

(a) Every station operating in the broadcast service shall transmit its call letters at the beginning and end of each period of operation, and, during operation, at least once every hour.

(b) Every station used for other than broadcast service shall transmit its call letters at the end of each transmission, and at least once every fifteen minutes during an exchange of communications. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-348; Filed, January 7, 1943;  
10:59 a. m.]

#### PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

##### STATION IDENTIFICATION

The Commission on January 5, 1943, effective immediately, adopted the following new sections:

§ 4.27 *Station identification.* Each relay broadcast station shall announce its call letters at the beginning and end of each period of operation, and during operation, at least once every hour it either shall announce its call letters or shall make an announcement which will permit it to be identified.

§ 4.38 *Station identification.* Each ST broadcast station shall announce its call letters at the beginning and end of each period of operation, and during

operation, at least once every hour it either shall announce its call letters or shall make an announcement which will permit it to be identified. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-349; Filed, January 7, 1943;  
10:59 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[General Order ODT 33]

#### PART 500—CONSERVATION OF RAIL EQUIPMENT

##### SUBPART E—PASSENGER TRAIN OPERATIONS RESTRICTED IN PUERTO RICO

Pursuant to Executive Orders Nos. 8989 and 9214, and in order to make available railway cars, motive power, and other transportation facilities and equipment for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to conserve and providently utilize railway cars, motive power, and other transportation facilities and service; and to expedite the movement of traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

Sec.  
500.55 Definitions.  
500.56 Applicability.  
500.57 Passenger train operations restricted.  
500.58 Special and general permits.  
500.59 Suspension of provisions.  
500.60 Exemptions.  
500.61 Communications.  
500.62 Effective date.

AUTHORITY: §§ 500.55 to 500.62, inclusive, issued under E.O. 8989, 9214; 6 F.R. 6725, 7 F.R. 6097.

§ 500.55 *Definitions.* As used in this order (§§ 500.55 to 500.62, inclusive), or in any order, permit or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, and includes any agency of the United States or of any other government, the Insular Government of Puerto Rico or any political subdivision or agency thereof, or any trustee, receiver, assignee or personal representative;

(b) "Rail carrier" means any person engaged in transportation as a carrier by railroad in Puerto Rico;

(c) "Passenger train" means any train operated for the purpose of transporting passengers and includes a mixed train.

§ 500.56 *Applicability.* The provisions of this order shall be applicable only within the Island of Puerto Rico.

§ 500.57 *Passenger train operations restricted.* No rail carrier shall operate a chartered passenger train, or a passenger train which includes a car that is



chartered or the use of which by prior arrangement is restricted to a person or a number of persons travelling together as a group, other than a railroad business car when used by railroad officials and employees exclusively on railroad business.

§ 500.58 *Special and general permits*. The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances or to prevent undue hardships.

§ 500.59 *Suspension of provisions*. The provisions of this order, or any part thereof, may be suspended, from time to time, by order of the Office of Defense Transportation.

§ 500.60 *Exemptions*. The provisions of § 500.57 of this order shall not apply to passenger trains or cars operated for the exclusive service of, or through arrangements made by, an agency or department of the United States or of any national allied with the United States in the war or of the Insular Government of Puerto Rico.

§ 500.61 *Communications*. Communications concerning this order should refer to "General Order ODT 33" and should be addressed to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico.

§ 500.62 *Effective date*. This General Order ODT 33 shall become effective January 15, 1943.

Issued at Washington, D. C., this 7th day of January 1943.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 43-347; Filed, January 7, 1943;  
11:24 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket Nos. A-1789; A-1789, Part II]

#### DISTRICT BOARD 9

#### MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 9 for establishment of price classifications and minimum prices for the coals of certain mines in District No. 9, Docket No. A-1789.

In the matter of the petition of District Board No. 9 for the revision of minimum prices for the coals of the Colyer Mine, Docket No. A-1789, Part II.

Memorandum Opinion and Order severing Docket No. A-1789 Part II from Docket No. A-1789, and Notice of and Order for Hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9 and re-

No. 5—6

vision of the minimum prices applicable to the coals produced at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd; and

It appearing that no final determination should be made at this time with respect to the revision of the effective minimum prices for the coals produced for truck shipment at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd, as requested in the original petition heretofore filed in this matter; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the portion of Docket No. A-1789 relating to the coals of the Colyer Mine, Mine Index No. 516, of I. J. Lloyd, be, and the same hereby is severed from said docket and designated as Docket No. A-1789 Part II.

It is further ordered, That a hearing in Docket No. A-1789 Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on January 26, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in the offices of the Division will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 21, 1943.

All persons are hereby notified that the hearing in Docket No. A-1789 Part II and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 9 to increase by 30 cents per ton the effective minimum prices for the coals in Size Groups 1-4, inclusive, produced for truck shipment at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-359; Filed, January 7, 1943;  
11:25 a. m.]

### KIRN COAL & COKE CO. AND REITZ COAL CO.

#### APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	Date application filed
Kirn Coal & Coke Co. (Marvin G. Kirn), 308 Boulevard Bldg., Detroit Mich.	Dec. 23, 1942
Reitz Coal Co., Windber, Pa.	Dec. 24, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before February 8, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-360; Filed, January 7, 1943;  
11:26 a. m.]

### DEPARTMENT OF AGRICULTURE.

#### Farm Security Administration.

#### LOUISIANA

#### DESIGNATION OF LOCALITIES IN COUNTY IN WHICH LOANS MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

#### Region VI—Louisiana

#### ALLEN PARISH

Locality I—Consisting of Wards 1 and 2	\$3,245
Locality II—Consisting of Wards 3, 4, and 5	\$1,424



The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved, January 6, 1943.

[SEAL] C. B. BALDWIN,  
Administrator.

[F. R. Doc. 43-361; Filed, January 7, 1943;  
11:42 a. m.]

# FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6481]

WESTERN UNION TELEGRAPH CO.

## ORDER INCREASING CHARGES FOR TELEGRAPH COMMUNICATIONS FROM U. S. TO NEW HEBRIDES

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 29th day of December 1942;

It appearing that the Western Union Telegraph Company has filed with the Commission tariff schedules, to become effective January 4, 1943, stating increased charges for telegraph messages from the United States to New Hebrides via Vancouver Cable; said tariff schedules being designated as follows: The Western Union Telegraph Company, F. C. C. No. 173, 6th Revised Page 27.

It further appearing that said tariff schedules state increased charges for telegraph communications in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said schedules, insofar as they relate to increased charges for telegraph communications from the United States to New Hebrides should be postponed pending hearing and decision on the lawfulness of such increased charges;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of charges contained in 6th Revised Page 27 to The Western Union Telegraph Company Tariff F. C. C. No. 173, insofar as they relate to telegraph communications from the United States to New Hebrides;

It is further ordered, That the operation of said 6th Revised Page 27 to The Western Union Telegraph Company Tariff F. C. C. No. 173, insofar as it provides for increased charges for and in connection with telegraph communications from the United States to New Hebrides, be suspended; that the use of the charges therein stated as applicable to such communications be deferred until three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations,

practices and services of The Western Union Telegraph Company for and in connection with telegraph communication service between the United States and New Hebrides;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Western Union Telegraph Company and all other carriers subject to the Commission's jurisdiction participating in the service provided under the tariff provisions herein suspended, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected, or received by reason of any increase in charges effected thereby; that each such carrier shall specify in such accounts by whom and in whose behalf such amounts are paid; and The Western Union Telegraph Company and each such participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing May 10, 1943, showing the amounts accounted for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; that The Western Union Telegraph Company, and the said carrier parties to such tariff schedules be, and they are hereby, each made a party respondent to this proceeding; and that copies hereof be served upon each such party respondent, and upon the Office of Price Administration;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing on the 27th day of January 1943, at the offices of the Federal Communications Commission, in Washington, D. C., beginning at 10 a. m. By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary,

[F. R. Doc. 43-346; Filed, January 7, 1943;  
10:59 a. m.]

## FEDERAL DEPOSIT INSURANCE CORPORATION.

### REPORTS BY CERTAIN MUTUAL SAVINGS BANKS

Resolution of Board of Directors adopted December 31, 1942, authorizing call for report of condition on insured Mutual Savings Banks not members of the Federal Reserve System.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended (U.S.C., 1940 Ed., title 12, sec. 264 (k) (3)), be it resolved that each insured mutual savings bank, not a member of the Federal Reserve System be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Thursday, December 31, 1942, on Form 64

(Savings)<sup>1</sup> and a report of earnings and dividends for the calendar year ending December 31, 1942, on Form 73 (Savings).<sup>1</sup> Said report of condition and report of earnings and dividends shall be prepared in accordance with the booklet entitled "Instructions for the Preparation of Reports of Condition on Form 64 (Savings) and Reports of Earnings and Dividends on Form 73 (Savings) by Insured Mutual Savings Banks", issued as of December, 1940.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,

By E. F. DOWNEY, Secretary.

[F. R. Doc. 43-329; Filed, January 6, 1943;  
2:48 p. m.]

### REPORTS BY CERTAIN STATE BANKS

Resolution of Board of Directors adopted December 31, 1942, authorizing call for report of condition on insured State Banks not members of the Federal Reserve System except banks in the District of Columbia or Mutual Savings Banks.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended (U.S.C., 1940 Ed., title 12, sec. 264 (k) (3)), be it resolved that each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia or a mutual savings bank, be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Thursday, December 31, 1942, on Form 64<sup>1</sup> (Short form)—Call No. 18, and a report of earnings and dividends for the calendar year ending December 31, 1942, on Form 73.<sup>1</sup> Said report of condition shall be prepared in accordance with the booklet entitled, "Instructions for the Preparation of Reports of Condition on Form 64", and said annual report of earnings and dividends shall be prepared in accordance with the instruction booklet issued as of December 1937.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION

By E. F. DOWNEY, Secretary.

[F. R. Doc. 43-328; Filed, January 6, 1943;  
2:48 p. m.]

### ORDER FOR FILING OF CERTIFIED STATEMENT

Pursuant to the provisions of paragraph (1) of subsection (h) of section 12B of the Federal Reserve Act, as amended (U.S.C., 1940 Ed., title 12, sec. 264 (h) (1)); It is ordered, That each insured bank file with the Corporation on or before January 15, 1943, the following described certified statement forms: (1) Certified Statement—Part One, based on Deposits for the Six Months Ending December 31, 1942, Form 545-O,<sup>1</sup> in quadruplicate; and (2) Recapitulation of the Monthly Totals of Certified Statement—

<sup>1</sup> Filed as part of the original document.



Part Two, for the Six Months Ending December 31, 1942, Form 550-O,<sup>1</sup> in triplicate.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,  
By E. F. DOWNEY, *Secretary*.

[F. R. Doc. 43-327; Filed, January 6, 1943;  
2:48 p. m.]

# FEDERAL POWER COMMISSION.

[Docket No. G-433]

INDEPENDENT NATURAL GAS COMPANY

ORDER CHANGING DATE OF HEARING

JANUARY 5, 1943.

It appearing that, pursuant to an order of November 24, 1942, a hearing in the above-entitled proceeding was scheduled for January 12, 1943, in Washington, D. C., and Respondent has requested a postponement; and

Good cause having been shown by Respondent for a two-weeks' postponement; *It is ordered, That:*

The public hearing in this proceeding be held on January 26, 1943, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

LEON M. FUQUAY,  
*Secretary*.

[F. R. Doc. 43-336; Filed, January 7, 1943;  
10:29 a. m.]

# OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 95 Under MPR 120]

CHESAPEAKE AND OHIO RAILWAY COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 95 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant.

Granting adjustment on coals sold to Chesapeake & Ohio Railway Company.

Order No. 95 under Maximum Price Regulation No. 120 is hereby revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120; *It is ordered:*

(a) High volatile coals produced in Districts Nos. 7 and 8 and purchased by the Chesapeake & Ohio Railway Company for locomotive fuel use, at prices no higher than the maximum prices applicable thereto, may nevertheless be used as railroad fuel for other than locomotive use by said company;

*Provided however,* That the Chesapeake and Ohio Railway Company shall file with the Bituminous Coal Division of the Department of the Interior, Washington, D. C., on the twentieth day of each month a verified report setting

forth for the preceding calendar month, the total tonnage of and actual sizes of coals purchased for locomotive use, and of coals purchased for other than locomotive use, indicating in each instance the tonnage used for purposes other than that for which the coal was purchased;

(b) This Revised Order No. 95 may be revoked or amended by the Price Administrator at any time;

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 122 shall apply to the terms used herein;

(d) This Revised Order No. 95 shall be effective as of December 5, 1942;

Issued this 6th day of January 1943.

LEON HENDERSON,  
*Administrator*.

[F. R. Doc. 43-323; Filed, January 6, 1943;  
12:19 p. m.]

[Order 128 Under MPR 120]

HERMAN W. FISCH

ORDER GRANTING ADJUSTMENT

Order No. 128 of Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-248.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Herman W. Fisch, Glenrock, Wyoming, at his M. C. Mine, Mine Index No. 206, in District No. 19, may be sold and purchased for shipment by truck or wagon at prices per net ton f. o. b. at mine, not to exceed the following:

Size groups:	Maximum prices:
2-6	\$3.20

(b) Within thirty (30) days from the effective date of this order, Herman W. Fisch shall notify all persons purchasing his coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with, and subject to, the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 128 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(e) This Order No. 128 shall become effective January 7, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON,  
*Administrator*.

[F. R. Doc. 43-324; Filed, January 6, 1943;  
12:19 p. m.]

[Order 132 Under MPR 120]

IMPERIAL COAL CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 132 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-257.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals produced by Imperial Coal Corporation, Johnstown, Pennsylvania, at its Cambria Smokeless Mine, Mine Index No. 81, in District No. 1, may be sold and purchased for shipment by rail at prices not to exceed the following respective prices per net ton, f. o. b. the mine.

Size group:	Maximum price
1	\$3.25
2	3.05
3	2.95
4	2.95
5	2.95

and for shipment for railroad locomotive fuel use, at prices not to exceed \$2.70 per net ton, f. o. b. the mine;

(b) Within thirty (30) days from the effective date of this order, Imperial Coal Corporation shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;

(c) This Order No. 132 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 132 shall become effective January 7, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON,  
*Administrator*.

[F. R. Doc. 43-325; Filed, January 6, 1943;  
12:19 p. m.]

[Order 39 Under MPR 122]

AVONDALE MILLS

ORDER GRANTING ADJUSTMENT

Order No. 39 under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket No. 3122-31.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.257 (a) (3) of Maximum Price Regulation No. 122: *It is hereby ordered:*

<sup>1</sup> Filed as part of the original document.



(a) Avondale Mills, with general offices in Sylacauga, Alabama, may sell and deliver to its employees in Sylacauga, Alexander City, Pell City, Sycamore, and Lafayette, all in Alabama, and such purchasers may buy and receive coal from said company at prices not in excess of those determined in accordance with paragraph (b);

(b) The maximum prices for the sales described in paragraph (a) shall consist of the applicable maximum prices established therefor under Maximum Price Regulation No. 122 plus the per ton freight rate increases for coal actually incurred by Avondale Mills from January 1, 1941, to and including March 17, 1942;

(c) This Order No. 39 may be revoked or amended by the Price Administrator at any time;

(d) This Order No. 39 shall become effective January 7, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-326; Filed, January 6, 1943;  
12:17 p. m.]